

#### **Arlington Conservation Commission**

Date: Thursday, September 15, 2022

**Time:** 7:00 PM

Location: Conducted by Remote Participation

Pursuant to State Legislation suspending certain provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, the September 1, 2022, public meeting of the Arlington Conservation Commission shall be physically closed to the public to avoid group congregation. The meeting shall instead be held virtually using Zoom. Please register in advance for this meeting. Reference materials, instructions, and access information for this specific meeting will be available 48 hours prior to the meeting on the Commission's agenda and minutes page.

#### **Agenda**

- 1. Administrative
  - a. Approval of August 18, 2022, meeting minutes
  - b. Approval of September 1, 2022, meeting minutes
- 2. Updates
  - a.
  - b. Water Bodies Working Group
  - c. Tree Committee Liaison
- 3. Discussion
  - a. 106-108 Varnum Street Notice of Violation
- 4. Hearings

#### Request for Determination of Applicability: 19 Sheraton Park

Request for Determination of Applicability: 19 Sheraton Park

Documents: 19 Sheraton Park RDA Package

This public hearing will consider a Request for Determination of Applicability to install dry wells and an erosion control planting bed. Work is proposed to be conducted within the 100-foot Buffer Zone to Spy Pond and Adjacent Upland Resource Area.

#### Notice of Intent: 67 Dothan Street

Notice of Intent: 67 Dothan Street

Documents: 67 Dothan Street Supplemental Materials

This public hearing will consider a Notice of Intent to grade the backyard, install new drainage, and install a fence at 67 Dothan Street. Work is proposed to be conducted within the Adjacent Upland Resource Area and Buffer Zone to Reed's Brook.

#### Notice of Intent: Spy Pond Aquatic Invasive Management

Notice of Intent: Spy Pond Aquatic Invasive Management Documents: Spy Pond Aquatic Invasive Management NOI Package

This public hearing will consider a Notice of Intent for aquatic invasive management in Spy Pond. Work is proposed to be conducted within Land Under Water. The management will include chemical and mechanical treatment of invasive plant species.



#### **Town of Arlington, Massachusetts**

#### Request for Determination of Applicability: 19 Sheraton Park

Summary:

Request for Determination of Applicability: 19 Sheraton Park

Documents: 19 Sheraton Park RDA Package

This public hearing will consider a Request for Determination of Applicability to install dry wells and an erosion control planting bed. Work is proposed to be conducted within the 100-foot Buffer Zone to Spy Pond and Adjacent Upland Resource Area.

#### ATTACHMENTS:

	Type	File Name	Description
ם	Reference Material	19_Sheraton_Park_RDA_Package.pdf	19 Sheraton Park RDA Package



#### **TOWN OF ARLINGTON**

730 Massachusetts Ave. Arlington, MA 02476 781-316-3012

#### ARLINGTON CONSERVATION COMMISSION

# **New Filing Checklist**

APPLICA	NT INFORMATION				
Applicant :	A: Khian.				
Contact Inf	611 713 3011				
Project Loc	eation: 19 Shereha Perk				
Date Filing	Received: US-31.22				
Date of He	aring: 04 . (5 2 Z				
Date Heari	ng Closed:				
PRE-FILII	NG CHECKLIST				
	WPA Form 1: Request for Determination of Applicability (signed and stamped)				
□	WPA Form 3: Notice of Intent				
□	WPA Form 4A: Abbreviated Notice of Resource Area Delineation				
□	Electronic Copy				
	RDA/NOI Narrative				
□	Abutter's List (certified by the Assessor's Office) w/map of abutting properties				
	Abutter Notification Form				
	Affidavit of Service (signed)				
□ <u>N</u> A	Legal Newspaper Notice Charge Authorization (signed w/billing info)				
<u> </u>	Proposed Development Plan (certified by Land Surveyor)				
□	Appendix Maps: Topographic Site Plan, Flood Plain Map, USGS Quad Map				
□	Site Photos				
	Bylaw Filing Fees & Transmittal Form AND/OR Wetland Fee Transmittal Form				
<b>Z</b>	Bylaw Filing fee check, amount: \$				
<u></u>	DEP Fees (NOI): 2 checks, plus \$12.50 fee to Arlington \$/ \$(State)				
	Stormwater Management Plan & Drainage Report (if applicable)				



Important:
When filling out
forms on the
computer, use
only the tab key
to move your
cursor - do not
use the return

key.

### **Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

Att)ngton City/Town

# WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

#### A. General Information

1.	Applicant:		•
	Nergis Mavalvala + Hida Khan	amK60	1@gmail.co
	Applicant: Nergis Mavalvala + Aida Khan Name 19 Sheraton Park Mailing Address	E-Mail Address	0
	Mailing Address		
	Arlington	MA	0 2 4 7 4 Zip Code
	City/Town	State	Zip Code
	617-513-3298 Phone Number	Fax Number (if app	licable)
		rax Number (II app	nicable)
2.	Representative (if any):		
	Firm	-	
	Contact Name	E-Mail Address	
	Mailing Address		
	Maining / Marcos		-
	City/Town	State	Zip Code
	Phone Number	Fax Number (if app	plicable)
B.	Determinations		
	A + 1	datarmination(a) (	Shook any that annly:
1.	Conservation Commission	determination(s). C	Check any that apply:
	a. whether the <b>area</b> depicted on plan(s) and/or map(s) refe	erenced below is a	n area subject to
	jurisdiction of the Wetlands Protection Act.	sicrioca solow lo a	in area easpeet to
	b. whether the <b>boundaries</b> of resource area(s) depicted o	n plan(s) and/or m	ap(s) referenced
	below are accurately delineated.	Tr pram(e) amarem	(a) (b) (c) (c) (c) (c) (c) (c) (c) (c) (c) (c
	c. whether the <b>work</b> depicted on plan(s) referenced below i	s subject to the We	etlands Protection Act.
	d. whether the area and/or work depicted on plan(s) refere of any municipal wetlands ordinance or bylaw of:	enced below is sub	ject to the jurisdiction
	Arlington		
	Name of Municipality	· · · · · · · · · · · · · · · · · · ·	
	e. whether the following scope of alternatives is adequate	e for work in the R	tiverfront Area as
	depicted on referenced plan(s).		



#### **Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

City/Town

# WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

#### C. Project Description

1.	19 Sheraton Park Arling to Street Address City/Town	VI_	oject to this request): $\frac{1 - 0 }{5.0}$
	b. Area Description (use additional paper, if necessary):  Back yard of 19 Sheraton Park	-	
,	c. Plan and/or Map Reference(s): Addington GIS Wetlands Map with topography of lood, Title Lands cape Construction bravings by heli Title Mat Donal	plain n ssá ed	oted 8/31/22 Date 8/31/22 Date
	Title		Date
2.	a. Work Description (use additional paper and/or provide plan(s) of work	١ ١	• •
	In our back yard, we want ,	4:1}	omplete
h	e Order of Conditions from the l	nny	se construction
!ho	e Order of Conditions from the b cludes installation of dry wells & con	ple	tim Jan As
Bı	nilt survey) to get a certificate of	of a	Compliance +
2	) add a patio + put in some	er	0510n
6	) add a patio + put in some control measures on the hillside	via	erosum
(	control blanket + plant beds of	+ a	elso add
	control blanket & plant beds of Some additional planting to the	bo	ukyard



# **Massachusetts Department of Environmental Protection** Bureau of Resource Protection - Wetlands



# WPA Form 1- Request for Determination of Applicability Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

## C. Project Description (cont.)

-	fron	n having to file a Notice of Intent for all or part of the described work (use additional paper, if essary).  David Morgan Alington Conservation Agent told we want with Come Comm that an RDA is e path to day that the work We would ke to do at in the back yard.
3.	a. Riv	If this application is a Request for Determination of Scope of Alternatives for work in the erfront Area, indicate the one classification below that best describes the project.
		Single family house on a lot recorded on or before 8/1/96
		Single family house on a lot recorded after 8/1/96
		Expansion of an existing structure on a lot recorded after 8/1/96
		Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
		New agriculture or aquaculture project
		Public project where funds were appropriated prior to 8/7/96
		Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
		Residential subdivision; institutional, industrial, or commercial project
		Municipal project
		District, county, state, or federal government project
		Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.
		Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification over (use additional paper and/or attach appropriate documents, if necessary.)

#### AFFIDAVIT OF SERVICE

I, Aida Khan, being duly sworn, do hereby state as follows: on 8/31/22, I mailed a "Notification to Abutters" in compliance with the second paragraph of Massachusetts General Laws, Chapter 131, s.40, the DEP Guide to Abutter Notification dated April 8, 1994, and the Arlington Wetlands Protection Bylaw, Title V, Article 8 of the Town of Arlington Bylaws in connection with the following matter:

Back yard landscaping, including installation of drywells, patio, plants at 19 Sheraton Park, Arlington, MA

The form of the notification, and a list of the abutters to whom it was provided and their addresses, are attached to this Affidavit of Service.

Signed under the pains and penalties of perjury, this 31st day of August 2022.

8 of 108

#### **AFFIDAVIT OF SERVICE**

I, Nergis Mavalvala, being duly sworn, do hereby state as follows: on 8/31/22, I mailed a "Notification to Abutters" in compliance with the second paragraph of Massachusetts General Laws, Chapter 131, s.40, the DEP Guide to Abutter Notification dated April 8, 1994, and the Arlington Wetlands Protection Bylaw, Title V, Article 8 of the Town of Arlington Bylaws in connection with the following matter:

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Signed under the pains and penalties of perjury, this 31st day of August 2022.

Name

9 of 108

#### **ABUTTER NOTIFICATION**

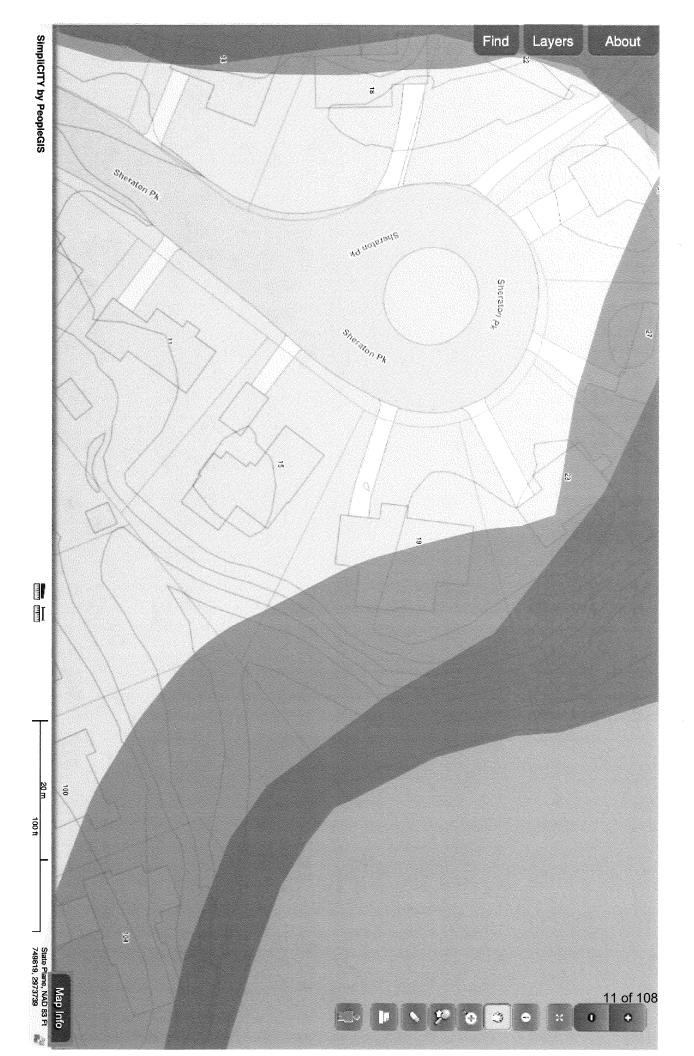
Notification to Abutters Under the Massachusetts Wetlands Protection Act and Arlington Wetlands Protection Bylaw

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the Arlington Wetlands Protection Bylaw, you are hereby notified of the following:

The Conservation Commission will hold a virtual public meeting using Zoom, on Sept. 15, 2022 at 7:00 PM in accordance with the provisions of the Mass. Wetlands Protection Act (M.G.L. Ch. 131, s. 40, as amended), the Town of Arlington Bylaws Article 8, Bylaw for Wetland Protection, and in accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, for a Request for Determination of Applicability from Nergis Mavalvala & Aida Khan , for back yard landscaping (plants, patio, dry well installation) at 19 Sheraton Park\_within 100 feet of a wetland, on Assessor's Property Map/s with Parcel ID of 0019.0-0001-0015.0. Please refer to the Commission's online meeting agenda for specific Zoom meeting access information.

A copy of the application and accompanying plans are available by request by contacting the Arlington Conservation at 781-316-3012 or <a href="mailto:concomm@town.arlington.ma.us">concomm@town.arlington.ma.us</a>. For more information, call the applicant 617-513-3298, the Arlington Conservation Commission (781-316-3012), or the DEP Northeast Regional Office (978-694-3200).

NOTE: Notice of the Public Hearing will be published at least five (5) business days in advance in *The Arlington Advocate* and will also be posted at least 48 hours in advance in the Arlington Town Hall.



#### BYLAW FILING FEES AND TRANSMITTAL FORM

#### **Rules:**

- 1. Fees are payable at the time of filing the application and are non-refundable.
- 2. Fees shall be calculated per schedule below.
- 3. Town, County, State, and Federal Projects are exempt from fees.
- 4. These fees are in addition to the fees paid under M.G.L. Ch. 131, s.40 (ACT).

#### Fee Schedule (ACC approved 1/8/15):

\$	No./Area	Category
150	1	(R1) RDA- \$150 local fee, no state fee
		(N1) Minor Project - \$200 (house addition, tennis court, swimming pool, utility work, work in/on/or affecting any body of water, wetland or floodplain).
		(N2) Single Family Dwelling - \$600
		(N3) Multiple Dwelling Structures - \$600 + \$100 per unit all or part of which lies within 100 feet of wetlands or within land subject to flooding.
		(N4) Commercial, Industrial, and Institutional Projects -
		\$800 + 50¢/s.f. wetland disturbed; 2¢/s.f. land subject to flooding or buffe zone disturbed.
		(N5) Subdivisions - \$600 + \$4/l.f. feet of roadway sideline within 100 ft. of wetlands or within land subject to flooding.
		(N6) Other Fees - copies, printouts; per public records law
		(N7) Minor Project Change - \$50
		(N8) Work on Docks, Piers, Revetments, Dikes, etc - \$4 per linear foot
		(N9) Resource Boundary Delineation (ANRAD) - \$1 per linear foot
		(N10) Certificate of Compliance (COC or PCOC) - No charge if before expiration of Order, \$200 if after that date.
		(N11) Amendments - \$300 or 50% of original local filing fee, whichever is less.
		(N12) Extensions -
		a. Single family dwelling or minor project - \$100.
		<b>b. Other</b> - \$150.
		(N13) Consultant Fee -per estimate from consultant
	TOTAL \$150	

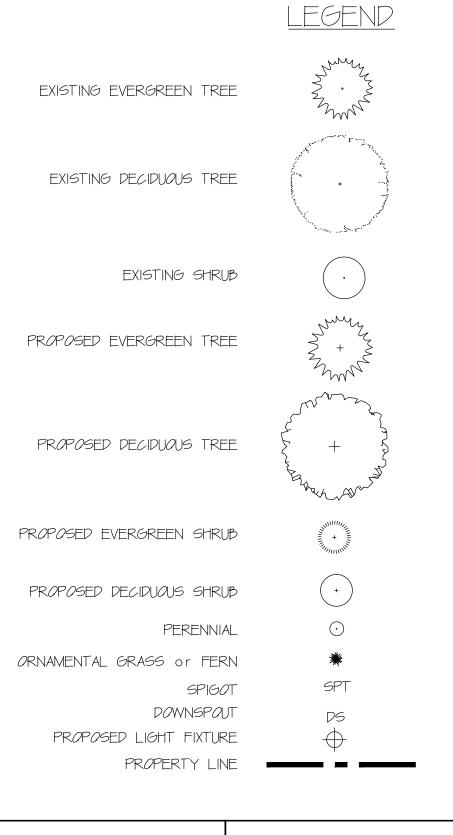
**Note:** Submit this form along with the forms submitted for the ACT - the "Wetlands Filing Fee Calculations Worksheet," and the "Notice of Intent Fee Transmittal Form."

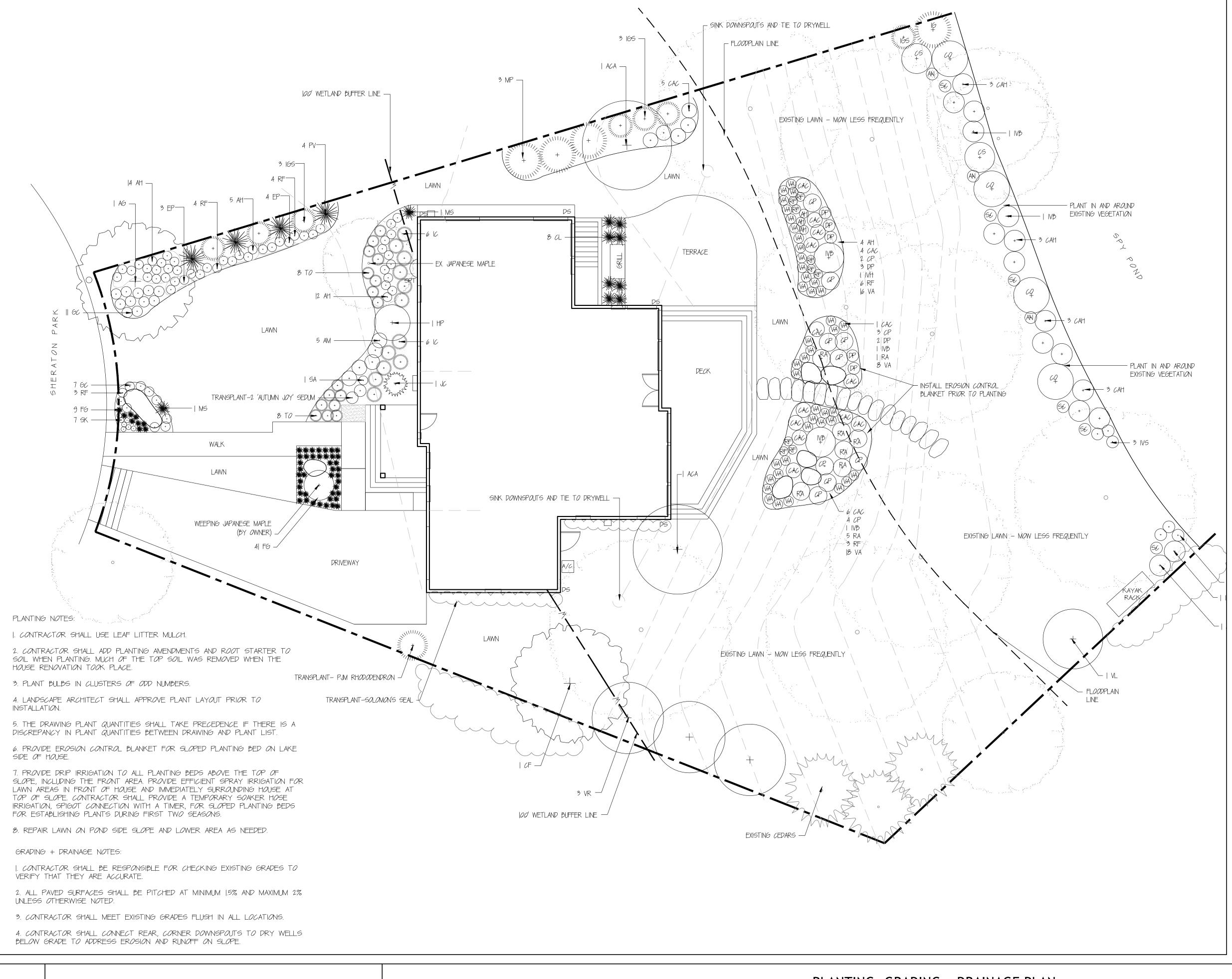
PL	ANT	LIST	
T			

Trees SYMBOL		SCIENTIFIC NAME	COMMON NAME	SIZE	COMMENTS
AG	1	Acer griseum	Paperbark Maple	10-12' ht.	В&В
CF	1	Cornus florida	Flowering Dogwood	2" cal.	B&B
JC	1	Juniperus chinensis 'Spartan'	'Spartan' Juniper	7-8' ht.	B&B
3hrub	S				
SYMBOL	_ QTY	SCIENTIFIC NAME	COMMON NAME	SIZE	COMMENT
ACA	2	Amelanchier canadensis 'Autumn Brilliance'	'Autumn Brilliance' Shadbush	10' ht.	B&B
АМ	38	Aronia melanocarpa 'Ground Hog'	'Ground Hog' Chokeberry	#3	CG
СО	4	Cephalanthus occidentalis 'Sugar Shack'	'Sugar Shack' Buttonbush	3' ht.	B&B
СР	9	Comtonia peregrina	Sweetfern	#3	CG
CAH	13	Clethra alnifolia 'Hummingbird'	'Hummingbird' Summersweet	30" ht.	B&B
CAC	17	Clethra alnifolia 'Crystalina'	'Crystalina' Summersweet	7 gal.	CG
CS	2	Cornus sericea 'Ivory Halo'	'Ivory Halo' Red Twig Dogwood	5 gal.	CG
HP	1	Hydrangea paniculata 'Quick Fire'	'Quick Fire' Hydrangea	4' ht.	B&B
IC	12	llex crenata 'Soft Touch'	'Soft Touch' Holly	18-24" ht.	B&B
IGS	7	llex glabra 'Shamrock'	'Shamrock' Inkberry	7 gal.	CG
IG	1	llex glabra — straight species	Inkberry—straight species	3-4' ht.	B&B
IVH	3	Itea virginica 'Henry's Garnet'	'Henry's Garnet' Sweetspire	5 gal.	CG
IVM	1	llex verticillata 'Mr. Poppins'	'Mr. Poppins' Winterberry	3' ht.	B&B
IVB	3	llex verticillata 'Berry Poppins'	'Berry Poppins' Winterberry	3' ht.	B&B
MP	3	Myrica pensylvanica	Bayberry	4' ht.	B&B
RA	6	Rhus aromatica 'Gro—Low'	'Gro-Low' Fragrant Sumac (3'oc)	7 gal.	CG
ТО	8	Thuja occidentalis 'Danica'	'Danica' Arborvitae	18" ht.	CG
VA	42	Vaccinium angustifolium	Lowbush Blueberry	#1	CG
VL	1	Viburnum lentago	Nannyberry Viburnum	4-5' ht.	B&B
VR	3	Viburnum rhytidiphyllum	Leatherleaf Viburnum	4-5' ht.	B&B
		<u> </u>			

Perennials, Groundcovers, Grasses, Ferns and Bulbs

SYMBOL	QTÝ	SCIENTIFIC NAME	COMMON NAME	SIZE	SPACING	COMMENTS
АН	34	Amsonia hubrichtii	Threadleaf Bluestar	#1	18" oc	CG
AN	3	Aster novae—angliae	New England Aster	#1	12-18" oc	CG
CL	8	Chasmanthium latifolium	Northern Sea Oats	#3	24" oc	CG
DP	5	Dennstaedtia punctilobula	Hayscented Fern	#1	24" oc	CG
EP	7	Echinacea purpurea 'Pow Wow White'	'Pow Wow White' Coneflower 2-3'	#1	18" oc	CG
FG	50	Festuca glauca 'Elijah Blue'	'Elijah Blue' Fescue	#1	12-15" oc	CG
GC	18	Geranium cantabrigiense 'Biokovo'	'Biokovo' Cranesbill Geranium	#1	24" oc	CG
IVS	6	Iris versicolor	Blue Flag Iris	#1	24-30" oc	CG
N	25	Narcissus 'Tete a Tete'	'Tete a Tete' Yellow Daffodil	bulb	8" O.C.	
MS	2	Miscanthus sinensis 'Morning Light'	'Morning Light' Maiden Grass	#3	30" oc	CG
PV	4	Panicum virgatum 'Shenandoah'	'Shenandoah' Switch Grass	#5	4' oc	CG
RF	17	Rudebeckia fulgida 'Goldsturm'	'Goldsturm' Black Eyed Susan	#1	18" O.C.	CG
SA	1	Sedum 'Autumn Fire'	'Autumn Fire' Sedum	#1	18" oc	CG
SC	6	Symphotrichum cordifolium	Common Blue Wood Aster	#1	18" oc	CG
SK	7	Sedum kamptschaticum	Stonecrop	#1	10-12" oc	CG





No. Description

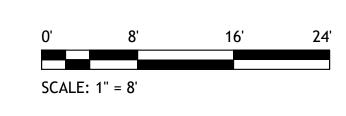
Date

MELISSA MACDONALD

LANDSCAPE ARCHITECT

www.melissamacdonald.com
p. 339.368.1133

SET ISSUED AND REVISION HISTORY



PLANTING, GRADING + DRAINAGE PLAN
KHAN.MAVALVALA RESIDENCE
19 SHERATON PARK, ARLINGTON, MA
AUGUST 2022

L2



#### Office of the Board of Assessors Robbins Memorial Town Hall Arlington, MA 02476 (781) 316-3050 Assessors@town.arlington.ma.us

**Abutters List** 

Date: August 31, 2022

Subject Property Address: 19 SHERATON PK Arlington, MA

Subject Property ID: 19-1-15

Search Distance: 100 Feet

The Board of Assessors certifies the names and addresses of requested parties in interest, all abutters within 100 feet of the property lines, of subject property.

BOARD OF ASSESSORS TOWN HALL ARLINGTON, MA 02476

**Board of Assessors** 

#### **ABUTTERS LIST**

Date: August 31, 2022

**Subject Property Location: 19 SHERATON PK Arlington, MA** 

Subject Property ID: 19-1-15 Search Distance: 100 Feet

#### **Mailing Address**

Parcel ID	Property Location	Owner 1	Owner 2	Street Address	City/Town	State	Zip
19-1-10.A	18 SHERATON PK	LAKE G F & L C		18 SHERATON PARK	ARLINGTON	MA	02474
19-1-12	31 SHERATON PK	SACCO ELAINE M		24 SHERATON PK	ARLINGTON	MA	02474
19-1-13	27 SHERATON PK	NOYES ROBERT W-HARRIET T		27 SHERATON PK	ARLINGTON	MA	02474
19-1-14	23 SHERATON PK	MIETTINEN PASI P	GARRETT KATIE	23 SHERATON PARK	ARLINGTON	MA	02474
19-1-15	19 SHERATON PK	MAVALVALA NERGIS	KHAN AIDA	19 SHERATON PARK	ARLINGTON	MA	02474
19-1-16	15 SHERATON PK	CEPPI FRANCIS G/TR	FRANCIS G CEPPI REVOCABLE	15 SHERATON PARK	ARLINGTON	MA	02474
19-1-17	11 SHERATON PK	GEANNARIS SOTIRIOS G		11 SHERATON PK	ARLINGTON	MA	02474
19-1-21.A	92 SPY POND PKWY	SACCA NICHOLAS R JRETAL	SACCA PATRICIA A	92 SPY POND PARKWAY	ARLINGTON	MA	02474
19-1-22.A	96 SPY POND PKWY	ZIPES JANET L/ TRUSTEE	ZOELI TRUST	96 SPY POND PKWY	ARLINGTON	MA	02474
19-1-23.A	100 SPY POND PKWY	TIBBETTS ALETTA & RICHARD		100 SPY POND PKWY	ARLINGTON	MA	02474
19-1-24.B	104 SPY POND PKWY	HERMAN BETSY H/ LIFE ESTATE		104 SPY POND PARKWAY	ARLINGTON	MA	02474





#### **Town of Arlington, Massachusetts**

**Notice of Intent: 67 Dothan Street** 

Summary:

Notice of Intent: 67 Dothan Street

Documents: 67 Dothan Street Supplemental Materials

This public hearing will consider a Notice of Intent to grade the backyard, install new drainage, and install a fence at 67 Dothan Street. Work is proposed to be conducted within the Adjacent Upland Resource Area and Buffer Zone to Reed's Brook.

#### ATTACHMENTS:

Type File Name Description

Reference Material 67\_Dothan\_Street\_Supplemental\_Materials.pdf 67 Dothan Street Supplemental Materials



#### **PROJECT NARRATIVE**

#### **Existing conditions**

Currently the backyard faces numerous drainage issues:

- There is a large square of impervious surface (approx. 600 sf of asphalt)
- There is an outlet pipe for a basement sump that runs almost the edge of the brook
- The existing lawn is at a low elevation and has minimal pitch and is susceptible to flooding
- The bank of the brook is mostly bare from years of treating the Japanese Knotweed

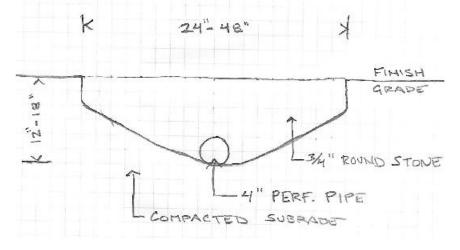
#### **Proposed Alterations**

Drainage Solutions

- Remove & dispose of existing asphalt
- Revise grading to create a 2% pitch from the right side of the property to the left, and install new lawn.
- On the low point of the yard along the left side, create a stone swale to collect surface runoff.

• Disconnect sump pump pipe & run new perforated pipe below grade across the yard and through the stone swale.







#### Other improvements

- Remove & dispose of several dead/diseased trees by flush cutting.
- Remove & dispose of (2) large yews against back of house.
- Prune limbs of existing trees that are hanging over house.
- Install new fence to enclose backyard. Style to be determine, but will maintain 6" clearance below.
- Install new planting bed along the rear of the yard on both sides of the fence. Final design still in review, but proposing plants from the attached list and assuming to be approximately:
  - o (2) Small trees
  - o (20) shrubs
  - o (40) perennials
- Existing brick driveway with grass median to be repaved with asphalt, and stop at rear corner of house.

#### CLIMATE CHANGE RESILIENCE NARRATIVE

We submit that the following proposed changes will help with improving the sites ability to mitigate climate change:

- Remove & dispose of existing impervious surfaces
- Improving drainage/runoff by redirecting the current water flow.
- Adding new native vegetation in the areas abutting the brook to prevent bank erosion, control spreading of invasive species, and provide new native habitats for wildlife.







#### **TREES**

#### Serviceberry

Amelanchier arborea

Hardiness: Zone 4 to 9 Height: 15-20' Width: 15-20'

Exposure: Full sun to part shade

Water needs: Medium Foliage: Green

A deciduous, early-flowering, large shrub or small tree that features 5-petaled, showy, slightly fragrant, white flowers in drooping clusters which appear before the leaves emerge in early spring. The finely-toothed, obovate leaves exhibit good fall color. Flowers give way to small, round green berries which turn red and finally mature to a dark purplish-black in early summer.

#### **River Birch**

Betula nigra

Hardiness: Zone 4 to 9 Height: 40-70' Width: 40-60'

Exposure: Full sun to part shade
Water needs: Medium to wet
Foliage: Green to dark green

A fast-growing, deciduous tree which can be trained as either a single or multi-trunked tree. As a single trunk tree, it develops a pyramidal habit when young, but matures to a more rounded shape. Multi-trunked trees form a more irregular crown and are generally considered to be the superior growth habit for this species. Salmon-pink to reddish brown bark exfoliates to reveal lighter inner bark. Leathery, diamond-shaped, turn yellow in fall.

#### **Eastern Redbud**

Cerics canadensis

Hardiness: Zone 4 to 8 Height: 20-30' Width: 25-35'

Exposure: Full sun to part shade

Water needs: Medium

Foliage: Green to blue-green

A deciduous, multi-trunked understory tree with a rounded crown noted for its stunning pea-like rose-purple flowers which bloom profusely on bare branches in early spring before the foliage emerges. Flowers are followed by bean-like dry seedpods that mature to brown in summer, which may remain on the tree into winter. Leaves turn pale yellow to greenish-yellow in fall.



#### LARGE SHRUBS



#### **Blue Maid Holly**

Ilex meservea 'Mesid'Hardiness: Zone 5 to 9Height: 8-10'Width: 6-8'

Exposure: Full sun to part shade

Water needs: Medium Foliage: Dark green

An exceptionally hardy, vigorous, broadleaf evergreen with snag-free, purple-green holly foliage that is well suited along walkways or border plantings. A true holly look in a dense, bushy plant with bright red berries and purple stems. Plant as a single specimen that is gorgeous under snowfall, or line to create a dense hedge. Use to soften unsightly corners of fences or buildings, or plant at the back of borders for reliable year round foliage.



#### **Chesapeake Holly**

*Ilex crenata 'Chesapeake'* Hardiness: Zone 6 to 9

Height: 6-8' Width: 2-4'

Exposure: Full sun to part shade

Water needs: Medium

Foliage:

An upright variety of this excellent, carefree, evergreen shrub that resembles boxwood. It's dense, fine texture is a natural for informal hedges or to be sheared for a formal appearance, though just as beautiful left natural. Lustrous black berries are attractive to birds which feed on them in fall.



#### Hicksii Yew

Taxus x media 'Hicksii'
Hardiness: Zone 4 to 7
Height: 12 to 20''
Width: 8 to 12'

Exposure: Full sun to part shade

Water needs: Medium Foliage: Dark green

This hybrid yew cultivar is a dense, narrowly columnar, evergreen shrub with ascending branching. Yews are classified as conifers, but female plants (yews are dioecious) produce red, fleshy, single-seeded fruit instead of cones. 'Hicksii' is available in both male and female types. Two-ranked foliage is lustrous, dark green above and lighter green below.



#### **SMALL SHRUBS**



#### **Shamrock Inkberry**

Ilex glabra 'Shamrock'Hardiness: Zone 4 to 8Height: 3 to 6'Width: 3 to 7'

Exposure: Part shade to full shade

Water needs: Medium Foliage: Green

**NATIVE.** Slow-growing, upright-rounded evergreen shrub in the holly family. Obovate to oblanceolate, spineless, glossy dark green leaves (to 1.5" long) remain attractive in winter. Greenish white flowers appear in spring, but are relatively inconspicuous.



#### **Mountain Laurel**

Kalmia latifolia 'Yankee Doodle'

Hardiness: Zone 5
Height: 3-4'
Width: 3-4'
Exposure: Part shade
Water needs: Medium
Foliage: Dark green

**NATIVE.** Showcases vivid pinkish-red buds that open to display a near white corolla highlighted with a narrow burgundy-maroon band. The dark green foliage is leaf spot resistant and densely arranged on the semi-compact plants. Purplish-red new stems and orange-red dormant flower buds provide added seasonal interest.



#### White Roseum Rhododendron

Rhododendron catawbiense album

Hardiness: Zone 4 to 8

Height: 5-6' Width: 5-6'

Exposure: Full sun to part shade

Water needs: Medium Foliage: Dark green

Dense-growing evergreen shrub with pale lavender buds that open into bell-shaped, white flowers with a greenish-yellow patch. While most popular as a choice for an accent plant, it is also useful as a hedge, in mass plantings, as a privacy screen, or in designing a woodland garden.





#### P.IM Rhododendron

Rhododendron 'PJM'

Hardiness: Zone 4 to 8 3 to 6' Height: Width: 3 to 7'

Exposure: Part shade to full shade

Water needs: Medium Foliage: Green

A hybrid that is a compact, rounded, small-leaved, evergreen shrub that is noted for having exceptional winter hardiness. Lavender, rose or pink flowers bloom in clusters (4-9 flowers per cluster) in April. Elliptic, hairless, leathery, dark green leaves (to 2.5" long). Foliage acquires purple tones in winter. Noted for growing well in New England climates.



#### **Hummingbird Summersweet**

Clethra alnifolia 'Hummingbird'

Hardiness: Zone 3 to 9

2-4' Height: Width: 3-5

Exposure: Full sun to part shade Medium to wet Water needs: Foliage: Dark Green

NATIVE. A compact, slowly spreading, deciduous cultivar that produces abundant flowers, unique because of their ability to bloom in shady locations in late summer. Excellent, trouble-free shrub useful in mass or group in lawns, foundations or shrub borders, shade or woodland gardens, as a hedge, plant near a patio to enjoy the fragrant late summer bloom. Compact size makes this an ideal flowering shrub for smaller gardens.



#### Cardinal Redosier Dogwood

Cornus sericea 'Cardinal' Hardiness: Zone 3 to 8 Height: 6 to 9' Width: 8 to 12'

Full sun to part shade Exposure: Water needs: Medium to wet

Foliage: Medium to dark green

**NATIVE.** Upright-spreading with leaves that acquire interesting shades of red to orange eventually fading to purple in autumn. Reddish stems turn brighter in winter to be showy in snow. Tiny, fragrant, white flowers appear in late spring, sometimes continuing into summer. Fruit is quite attractive to birds and is generally considered to have as much ornamental interest as the flowers.







#### Oakleaf Hydrangea

Hydrangea quercifolia

Hardiness: Zone 5 to 9

Height: 6-8' Width: 6-8'

Exposure: Full sun to part shade

Water needs: Medium Foliage: Dark green

An upright, broad-rounded, multi-stemmed, deciduous shrub that is noted for producing pyramidal panicles of white flowers in summer on exfoliating branches clad with large, 3-7 lobed, oak-like leaves. Mass or group in a mixed shrub border or naturalize in a native plant or open woodland garden. Also may be used for backgrounds, accents or specimens, foundation plantings or hedges.

#### Winterberry

Ilex verticillate

Hardiness: Zone 3 to 9

Height: 6-12' Width: 6-12'

Exposure: Full sun to part shade

Water needs: Medium to wet Foliage: Dark green

A slow-growing, deciduous shrub with an upright-rounded habit that often suckers to form large thickets or colonies. Elliptic toothed leaves can turn attractive shades of maroon in fall. Inconspicuous flowers appear in late spring and give way to a crop of bright red berries in late summer to fall. Berries are quite showy and will persist throughout the winter and often into early spring.

#### **Highbush Blueberry**

Vaccinium corymbosum

Hardiness: Zone 5 to 8
Height: 5-10'
Width: 6-12'

Exposure: Full sun to part shade
Water needs: Medium to wet
Foliage: Blue-green

**NATIVE.** Useful for ornamental as well as for fruit production. It is effective in shrub borders or as part of less formal shrub plantings in areas such as native plant gardens or open woodlands. Also makes an excellent hedge with the added benefits of fruit which can be harvested or left for the birds.





#### **Blue Muffin Viburnum**

Viburnum dentatum 'Christom' Blue Muffin'

Hardiness: Zone 3 to 8 Height: 3 to 5' Width: 3 to 4'

Exposure: Full sun to part shade

Water needs: Medium Foliage: Dark green

**NATIVE.** A compact, rounded, deciduous shrub with white flowers in flat-topped cymes appear in mid to late spring. Flowers give way to pea-sized blue berries that mature in late summer and are attractive to birds. Ovate leaves turn attractive shades of orange to burgundy-purple in fall. Attractive as a specimen or in a group, is popular in shrub borders, foundation plantings, or hedges.

#### Chicago Lustre Viburnum

Viburnum dentatum 'Synnestvedt'

Hardiness: Zone 2 to 7 Height: 6-12' Width: 6-12'

Exposure: Full sun to part shade

Water needs: Medium Foliage: Dark green

**NATIVE.** Upright, spreading branches create a rounded shrub with dark green leaves that turn reddish purple during autumn. Clusters of white flowers in late spring produce bluish black berries in late summer.

#### **PERENNIALS**



#### Threadleaf Coreopsis

Coreopsis verticillata

Hardiness: Zone 3 to 9
Height: 30-36"
Width: 18-24"
Exposure: Full sun
Water needs: Dry to medium

Foliage: Green

**NATIVE.** A perennial which grows in dense, bushy clumps featuring yellow, daisy-like flowers that appear in a profuse and lengthy late spring to late summer bloom. Shearing plants in midsummer will promote a fall rebloom. Thread-like leaves lend a fine-textured and airy appearance to the plant. Useful in borders, naturalized areas, native plant gardens or cottage gardens.







#### Hillside Black Beauty Bugbane Kamchatka

Cimicifuga simplex 'Hillside Black Beauty'

Hardiness: Zone 4 to 8 Height: 30-36" Width: 24-48"

Exposure: Part shade to full shade

Water needs: Medium
Foliage: Copper-purple

Small, creamy white, fragrant flowers appear in late summer to early fall rising above the ferny foliage like fluffy spires. The common name of bugbane is in reference to the odoriferous insect repellant properties of this plant. Adds architectural height and late summer bloom to a shaded part of the garden. Also effective in woodland gardens, cottage gardens and naturalized areas.

#### **Purple Coneflower**

Echinacea purpurea

Hardiness: Zone 3 to 8

Height: 2-5' Width: 18-24"

Exposure: Full sun to part shade
Water needs: Dry to medium
Foliage: Dark green

#### NATIVE.

An herbaceous perennial with showy daisy-like purple coneflowers that bloom throughout summer atop stiff stems clad with coarse leaves. Good fresh cut or dried flower. The dead flower stems are popular with birds in the winter. Excellent, long-blooming flower for massing in the border, meadow, or wildflower garden.

#### **Big Blue Lobelia**

Lobelia siphilitica

Hardiness: Zone 4 to 9
Height: 24-36"
Width: 12-18"

Exposure: Full sun to part shade Water needs: Medium to wet

Foliage: Light green

**NATIVE**. A clump-forming perennial with finely-toothed, lance-shaped leaves. Features light to dark blue, tubular flowers bloom in late summer atop leafy stalks, providing interest in the perennial border, wild garden, native plant garden, woodland garden or naturalized planting. Also effective near ponds or streams.





#### Solomon's Seal

Polygonatum japonicum

Hardiness: Zone 3 to 8 Height: 18-24" Width: 9-12"

Exposure: Part shade to full shade

Water needs: Medium to wet

Foliage: Green

A rhizomatous perennial with low, gracefully arching stems. Whitish tubular flowers bloom late spring, drooping from beneath the arching stems and have a sweet, lily-like fragrance. Attractive pendulous blue-black berries follow in fall while the leaves turn an attractive yellow. Best in woodland gardens or shady areas of rock gardens or border fronts.



#### **Autumn Black-eyed Susan**

Rudbeckia fulgida 'Autumn Color'

Hardiness: Zone 3 to 9 Height: 24-30" Width: 18-24"

Exposure: Full sun to part shade

Water needs: Medium Foliage: Deep green

**NATIVE.** This native form is longer flowering than the more familiar garden selection 'Goldsturm', continuing well into October in many regions. Plants are of medium habit, bearing loads of golden-orange daisies with a dark brown eye. Superb cut flower. Foliage is shiny and heat tolerant. Slightly smaller blooms. Seedheads have good winter interest. A terrific choice for mass planting, combining especially well with ornamental grasses.



Tiarella cordiflora

Hardiness: Zone 4 to 9 Height: 9-12" Width: 1-2'

Exposure: Part shade to full shade

Water needs: Medium Foliage: Green



**NATIVE.** A clump-forming perennial which spreads rapidly by runners to form dense clumps of foliage. Sometimes called false miterwort, it has semi-glossy, heart-shaped, 3-5 lobed leaves (4" across) that rise directly from the stolons. Leaves may have reddish variegation along the veins. Foliage is evergreen in mild winters, often turning reddish bronze in autumn and winter. Tiny, white flowers with very long stamens appear in airy racemes in spring on numerous erect & wiry stems. Flower buds are pinkish.







#### **FERNS**

#### Japanese Painted Fern

Athyrium niponicum 'pictum'
Hardiness: Zone 3 to 8
Height: 12-18"
Width: 18-24"

Exposure: Part shade to full shade

Water needs: Medium Foliage: Gray-green

**NATIVE.** A deciduous fern with an arching habit featuring a spreading clump of triangular, variegated fronds. Fronds are a soft grayish-green with an overlay of silvery hues accented by contrasting dark maroon midribs. Silvering is best for several weeks in the spring, with fronds becoming greener as hot temperatures arrive. Great for woodland gardens, shade gardens or shaded border fronts.

#### **Hayscented Fern**

Dennstaedtia punctilobula
Hardiness: Zone 3 to 8
Height: 18-24"
Width: 24-36"

Exposure: Part shade to full shade

Water needs: Medium Foliage: Yellow-green

A deciduous fern with fronds that release a fragrance reminiscent of fresh mown hay when brushed with a hand, crushed or bruised. Features lacy, narrow-triangular, erect to arching, fronds that turn yellow in fall. Good fern for naturalizing in woodland areas, shade gardens, cottage gardens or wild areas.

#### **Royal Fern**

Osmunda regalis

Hardiness: Zone 3 to 9

Height: 2-3' Width: 2-3'

Exposure: Part shade to full shade

Water needs: Foliage:

A tall, deciduous fern often found on moist bluffs & ledges and along streams. Broad fronds have large, well-separated leaflets which give an almost pea-family appearance. Fronds typically turn yellow to brown in fall. Excellent selection for wet areas along ponds, streams, & water gardens. Also grows well in shaded borders, woodland gardens, wild gardens or native plant gardens.



#### **HOSTAS**

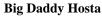
#### **Halcyon Hosta**

Hosta tardiana 'Halcyon' Hardiness: Zone 3 to 8 Height: 18-24" Width: 30-36"

Exposure: Part shade to full shade

Water needs: Medium Foliage: Blue green

One of the best of the blue cultivars, it features a mound of flat, spear-shaped, heavily-textured leaves and bell-shaped, pale lilac-blue flowers. Retains color longer than most, is a dependable and versatile perennial requiring little care. Grown for foliage that provides color, contrast and texture to the landscape. Dense foliage crowds out most garden weeds. Very effective in groups or massed, in shady borders, shade gardens or woodland gardens.



Hosta x 'Big Daddy

Hardiness: Zone 3 to 8

Height: 1-2' Width: 3-4'

Exposure: Part shade to full shade

Water needs: Medium Foliage: Blue-green

A large, mounded perennial featuring round, thick leaves throughout the growing season. Funnel-shaped, white to pale lavender flowers bloom in mid-summer. A mainstay of shade gardens. Very effective in groups or massed. Good background plant. Shady borders, shade gardens or woodland gardens.

#### Paul's Glory Hosta

Hosta x 'Paul's Glory
Hardiness: Zone 3-9
Height: 1-2'
Width: 3-4'

Exposure: Part shade to full shade

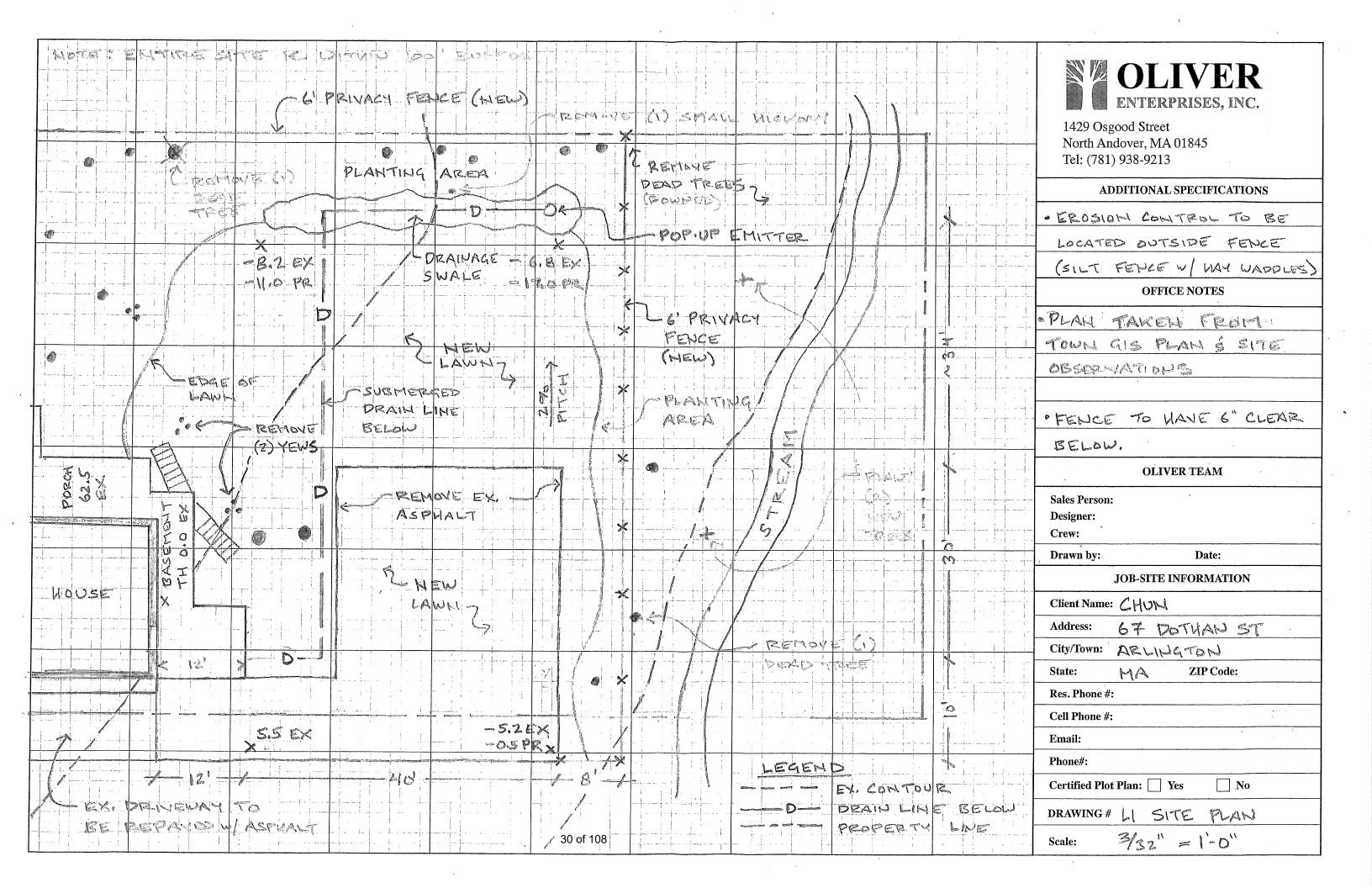
Water needs: Medium
Foliage: Yellow-green

This large growing classic perennial is one of the best for gold and green foliage. In spring the leaves unfurl revealing a wide chartreuse splash in the center surrounded by bright rich green. In late summer, tall flower spikes bloom with lavender trumpet-shaped flowers well above the foliage. The large size gives a dramatic impact in the garden.











#### **Town of Arlington, Massachusetts**

Notice of Intent: Spy Pond Aquatic Invasive Management

#### Summary:

Notice of Intent: Spy Pond Aquatic Invasive Management

Documents: Spy Pond Aquatic Invasive Management NOI Package

This public hearing will consider a Notice of Intent for aquatic invasive management in Spy Pond. Work is proposed to be conducted within Land Under Water. The management will include chemical and mechanical treatment of invasive plant species.

#### ATTACHMENTS:

	Type	File Name	Description
D	Reference Material	Spy_Pond_Aquatic_Invasive_Management_NOI_Package.pd	df Spy Pond Aquatic Invasive Management NOI Package



Notice of Intent:

5-Year Spy Pond Aquatic Management Program

Arlington, Massachusetts

**AUGUST 2022** 

PREPARED FOR

Town of Arlington Conservation Commission 730 Massachusetts Avenue Arlington, MA 02476

PREPARED BY

**SWCA Environmental Consultants** 

# NOTICE OF INTENT 5-YEAR SPY POND AQUATIC MANAGEMENT PROGRAM

Prepared for

Town of Arlington Conservation Commission 730 Massachusetts Avenue Arlington, MA 02476

Prepared by

**SWCA Environmental Consultants** 

15 Research Drive Amherst, MA 01002 (413) 658-2012 www.swca.com

SWCA Project No. 68593

August 2022

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#### 1 INTRODUCTION

SWCA Environmental Consultants (SWCA) is filing a Notice of Intent (NOI) on behalf of Town of Arlington for the continuation the Aquatic Management Program at Spy Pond in Arlington, Massachusetts (the Project). This NOI is being submitted in accordance with the Massachusetts Wetlands Protection Act (M.G.L. c.131, §40) (WPA), its implementing regulations (310 CMR 10.00 et seq.), and the Town of Arlington Wetlands Protection Bylaws (Article 8) and its implementing regulations. Please refer to Appendix A for the WPA Forms.

The NOI proposes a Spy Pond Management Plan to conduct in-lake management activities of aquatic invasive and nuisance plant and algae species in Spy Pond. Submerged aquatic vegetation management will be conducted via a combination of direct herbicide application and mechanical removal of actively growing populations of aquatic vegetation, specifically Curly-leaf Pondweed (*Potamogeton crispus*) and spiny naiad (*Najas minor*). Algaecide application will directly target sections of the pond that contain harmful and undesirable algae species. The work is necessary to maintain open water habitat, improve water quality, promote growth of less pervasive native plant species, and provide safe recreational access to the pond. The proposed work is within Land Under Waterbodies (LUW). Please refer to Appendix B for the site locus map.

This Project is being filed as an Ecological Restoration Limited Project Resource Project under 310 CMR 10.53(4)(e)5. Three hard copies of this NOI are being submitted to the Arlington Conservation Commission and a copy is being mailed to the Massachusetts Department of Environmental Protection (DEP). SWCA is notifying all abutters within 100 feet of the subject parcel. A certified list of abutters is attached in Appendix E along with copies of the Abutter Notification Letter and Affidavit of Service.

#### 2 SITE DESCRIPTION

## 2.1 Existing Conditions

Spy Pond is 103-acre glaciated "kettle hole" pond with Elizabeth Island, an uninhabited vegetated island, within its center. The average pond depth is 14 feet with the deepest point of 38 feet in the northern basin. The pond estimated volume is 1,428 acre-feet. A number of storm drains discharge directly to the pond. The pond outlet is located in the southern end, leading to Little Pond and the Alewife River. The pond has a large littoral area that supports extensive growth of non-native and native submersed vegetation.

The surrounding area, along the northwestern and southern side of the pond, consists of residential dwellings whose property extends to the pond bank. Concord Turnpike (Route 2) is located spanning the southwest portion of Spy Pond. A recreational area and playground are located on the southeastern side of the pond, off Spy Pond Parkway. A Bordering Vegetated Wetland (BVW) in the form of a shallow marsh, is depicted to be located northeast of the recreation area, associated with Spy Pond. The Spy Pond Park, off Hamilton Road, is located on the northeastern stretch of the Pond and consisting of recreational fields, walking paths, and boat ramps.

SWCA conducted a survey of the vegetation within the lake in the fall of 2021 and the spring of 2022. However, little vegetation was present during those visits. SOLitude Lake Management conducted a Survey in 2017 and May 2020. The pond currently supports sparse vegetation throughout the littoral zone when the curly-leaf pondweed and spiny naiad are not present. This is the result of a fluridone treatment in 2020 to reduce dense growth of various aquatic invasive plant species, but specifically Eurasian watermilfoil (*Myriophyllum spicatum*), curly-leaf pondweed, and spiny naiad. Numerous other submersed vegetation species are also present scattered throughout the pond, including thin-leaf pondweed

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(*Potamogeton pusillus*), sago pondweed (*Stuckenia pectinata*), and coontail (*Ceratophyllum demersum*). The pond shoreline also exhibits growth of non-native common reed (*Phragmites australis*) which has been managed in the past.

Vegetation management has been ongoing within Spy Pond for 12 years. It is populated by aquatic invasive plant species such as European naiad, curly-leaf pondweed, and snail-seed pondweed (*Potamogeton bicupulatus*). When left unmanaged, the invasive aquatic plant growth begins to outcompete and displace native species, degrading water quality and fish/wildlife habitat, and reducing recreational access to the lake. Spy Pond is known to have elevated phosphorus levels which cause nuisance algal blooms, most concerning of which is cyanobacteria (blue-green algae). This is likely aided by the nutrient additions from large-scale vegetation senescence once the curly-leaf pondweed and spiny naiad grow out of control and either die back naturally or are managed late in the season.

Previous management has included the use of diquat, fluridone, and glyphosate. These have been applied at various locations and concentrations between 1999 and 2020. The pond was also treated in 2004 with buffered alum to manage phosphorus levels which resulted in improved water clarity and reduced algal growth.

## 2.2 Regulated Resource Areas

While there are wetland resource areas adjacent to Spy Pond, the only resource area within the proposed work area is Land Under Water, which is defined by the banks of Spy Pond. SOLitude Lake Management has conducted previous desktop analysis using Massachusetts Geographic Information System (MassGIS) data layers to permit vegetation management projects within Spy Pond. These figures and delineations of Bank were utilized in the filing of this NOI.

#### 2.2.1 Inland Bank

As set forth in 310 CMR 10.54(2)(a) of the WPA Regulations, Bank is defined as the area of land that borders and confines a water body. Bank is often found between a water body and BVW, floodplains or an upland area. Bank is a protected resource due to its ability to protect other resources from flooding, storm damage and spread of pollutants. Per 310 CMR 10.54(2)(c) the upper boundary of Bank is determined by the lower of either the first noticeable break in the slope or the average annual flood line. The Bank associated with Spy Pond consists of a combination of vegetated strip of deciduous trees, maintained grass associated with Spy Pond Park and residential property, and low shrubs and emergent vegetated shelves along Spy Pond Park.

There is no work proposed within Bank.

#### 2.2.2 Land Under Waterbodies

LUW is defined in 301 CMR 10.56(2) as that area beneath a creek, river, stream, pond, or lake below the mean annual low water level. LUW is associated with Spy Pond. LUW does not have a buffer zone. This NOI proposes to alter approximately 4,443,120 square feet of LUW in order to perform Pond Management.

#### 2.2.3 Buffer Zone

The WPA includes a 100-foot Buffer Zone associated with Bank and BVW. The proposed Project is located entirely within Spy Pond. No work is proposed within the Buffer Zone.

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There is no work proposed within Buffer Zones.

#### 2.3 Other Sensitive Resource Areas

#### 2.3.1 Priority and Estimated Habitats of Rare Species

SWCA biologists reviewed available MassGIS NHESP datasets to determine if the Project is located within or near areas designated as Priority Habitats of Rare Species (MassGIS 2021a) or Estimated Habitats of Rare Wildlife (MassGIS 2021b). NHESP mapping indicates that priority habitat (PH 1381) is located within the entirety of Spy Pond.

#### 2.3.2 Areas of Critical Environmental Concern

SWCA reviewed MassGIS data layers to determine if the Project is located within any Areas of Critical Environmental Concern (ACEC). An ACEC is a designated area in Massachusetts that receives special recognition because of the quality, uniqueness, and significance of its natural and/or and cultural resources. ACECs are identified so that they may be protected and maintained. MassGIS (2009) does not identify any ACECs within or near the Site.

#### 2.3.3 Vernal Pools

SWCA reviewed MassGIS data layers to determine if the Project is located within Certified or Potential Vernal Pools. MassGIS (2022c and 2022d) does not identify any Certified or Potential Vernal Pools in at least 1,000 feet of the Project area.

#### 2.3.4 Outstanding Resource Areas

SWCA reviewed MassGIS data layers to determine if the Project is located within any ORWs (MassGIS 2010). ORWs are watershed areas that have been classified as an outstanding resource under the Massachusetts Surface Water Quality Standards as determined by their important socioeconomic, recreational, ecological, and/or aesthetic values. ORWs are identified so that they may be protected and maintained. There are no ORWs within at least 1,000 feet of the Project site (MassGIS 2010).

#### 3 PROPOSED WORK

The purpose of the proposed Project is to manage nuisance and invasive vegetation and algae while also promoting diversity of both flora and fauna within and around the pond. Achieving this goal is anticipated to improve the natural, economic, and cultural values of Spy Pond. No work is proposed within the BVW, Bank, or 100-foot Buffer Zone associated with BVW and Inland Bank. All work is proposed within Spy Pond (Land Under Water).

Furthermore, all work proposed herein has been approved under MassDEP File No. 091-0258 and by MESA under NHESP Tracking No. 08-24360). The MESA permit associated with this tracking number was filed in 2021 and will expire in 2026, which will be a different schedule than an issued OOC from the Conservation Commission. Annual plans sent to the Conservation Commission will need to also be sent to NHESP, but following the submission of flatsedge avoidance protocols, no further approvals will be required from MESA/NHESP. Please refer to Appendix D.

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#### 3.1 Submerged Aquatic Plant Management

Herbicide application has been a large focus of invasive and nuisance aquatic vegetation management in Spy Pond over the past 12 years. This has been necessary due to the widespread extent and density of invasive vegetation within the waterbody. Other means of management or removal have been either impractical or cost-prohibitive in the past. However, the Spy Pond Committee is focused on beginning to implement an integrated management strategy in order to gradually restore the native vegetative community within Spy Pond. This will be accomplished through a combination of chemical, manual, and mechanical management methos over the course of the 5 years requested for this permit.

#### 3.1.1 Chemical Application

As the extent of invasive plants is still very extensive within Spy Pond, the first step to this integrated and adaptive management strategy is herbicide application. The Town of Arlington will hire a qualified firm to selectively apply diquat to control nuisance and invasive aquatic plant species. Water and Wetlands is currently contracted to perform targeted herbicide applications with the support of SWCA through the end of the 2022 season. Herbicides will be applied via subsurface injection of diquat at low concentrations (0.5 To 0.75 gallons/surface acre for curly-leaf pondweed and 1.5 gallons/surface acre for spiny naiad) directly within actively growing populations of target submerged vegetative communities. The goal of this type of management is to reduce non-target impacts to other vegetation present within Spy Pond. Herbicide applications will be performed when target vegetation is between 1 and 2 feet tall (before the vegetation overtops the surface of the pond) to ensure that low-concentration applications will be effective.

The use of chemicals in this manner is a widely used management strategy for lakes and ponds with submersed aquatic plant infestations that are beyond effective control with non-chemical techniques, such as hand-pulling or suction harvesting, alone. Herbicides that are registered for aquatic use meet strict federal guidelines and do not present an "unreasonable risk" to humans and the environment when applied in accordance with their product label.

The management team will acquire a License to Apply from MassDEP by March 31of each year before conducting any pesticide application within Spy Pond. The intent of this management plan is to decrease the concentration of the proposed herbicide applications while still effectively managing problematic vegetation within Spy Pond to reduce their relative density and allow for competing native vegetation to reestablish.

The management team anticipates the need for one treatment of curly-leaf pondweed early in the season (May – July 4) each year that herbicide application is conducted, as curly-leaf pondweed usually populates the pond early in the season. Spiny naiad will then be managed later in July or early August prior to the vegetation overtopping the surface. All treatments will be conducted with care within targeted infested areas of Spy Pond to reduce the concentrations and total volume of herbicide required of each treatment. Management will only occur when there are observations of the target vegetation taller than 1 foot in height. Any follow-up herbicide application needs will be conducted at the lowest effective application (per the herbicide label) and will be targeted to specific locations of invasive plant infestation. However, the management team plans to conduct two, but no more than three treatment events in any management year.

#### 3.1.2 Mechanical Management

The Spy Pond Committee and Town of Arlington would also like approval to commence a mechanical vegetation management effort within Spy Pond. Mechanical management will be performed as a trial

initially. The trial will focus on one segment of vegetated area while herbicide application is conducted to continue to reduce nuisance and invasive aquatic vegetation in other sections of the littoral zone in Spy Pond. Results will be monitored annually, and the results of these monitoring events will determine the precise plan for the coming growing season, as adaptive management is key to a successful invasive plant management plan.

The Town proposes that mechanical management of submerged aquatic plants be conditionally approved pending the submission of a full mechanical management plan. This plan will be submitted at least 2 months prior to the proposed mechanical management and submitted to the Conservation Commission for approval. As the plan is to adjust the management plan each year based on the efficacy of each management effort, The Town will submit an annual adaptive management plan to the Conservation Commission in each subsequent year to ensure the Conservation Commission is aware of the full extent of mechanical management prior to implementation.

The Town is also exploring restoration practices, which will be included in the annual adaptive management plan when/if active restoration is to occur.

#### 3.2 Algae Management

The management team will also respond to algal blooms throughout the season as needed. This will be managed with spot applications of the copper-based algaecide EarthTec and will only be conducted when there are active algal blooms or concentrations of algae in the water column at or above 20,000 cells/mL.

#### 3.3 Pesticide Information

#### 3.3.1 Contact Herbicide- Diquat

Diquat is a contact aquatic herbicide currently registered in Massachusetts. Diquat (trade name Reward, Tribune) is a fast-acting contact herbicide that will be applied to Spy Pond when the target vegetation is vigorously growing, but not at full maturity. Treatment at this time allows for maximum herbicide uptake by the plants, which promotes effective summer long control, and reduces the amount of vegetative biomass decomposition post-treatment. Successive annual treatments will generally cause a reduction in plant distribution and density over time thereby reducing treatment requirements.

#### 3.3.2 Contact Algaecide- EarthTec

EarthTec is a copper-based algaecide that is effective on both mat-forming algae and microscopic algae species and cyanobacteria. EarthTec will only be applied when there are active blooms of algae (mats, notable water discoloration, and/or concentrations of microscopic algae above 20,000 cells/mL.). All applications will be conducted using label-recommended rates and will specifically target areas of active algal blooms.

#### 3.4 Site Monitoring and Reporting

The Spy Pond Committee conducts regular (biweekly) pond inspections, which include collection of water clarity data, vegetative growth observations, water depth observations, and any other pertinent comments. Additionally, SWCA and Water and Wetlands (the management team) will conduct two pond surveys in 2022 and at least one professional survey will be conducted each consecutive year of this plan. The first 2022 survey was conducted prior to management efforts, which documents the initial conditions

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within Spy Pond during the 2022 season. The second survey will be conducted in September of 2022 and will document the extent of vegetation and water quality within Spy Pond following all aquatic management in 2022. Specifically, these surveys are conducted to identify locations and densities of curly-leaf pondweed, spiny naiad, and other target vegetation. Surveys will continue annually to inform annual management goals and plans. The surveys will be conducted each year and are performed from a boat.

The management team will produce a summary report each year following all management and monitoring. This report will detail the relative densities and locations of invasive plants through the given season and a comparison of the current and previous year's conditions. This report will also provide guidance for the following management season and will include any figures and photographs related to surveys within Spy Pond throughout the year.

All reports will be submitted to all project stakeholders, the Arlington Conservation Commission Agent, and NHESP by December 1, 2022.

# 4 GENERAL PROVISIONS AND PERFORMACE STANDARDS

#### 4.1 WPA General Provisions and Performance Standards

Limited projects and resource improvement projects must meet the requirements under 310 CMR 10.53. This Project is being filed under 10.53(4)(e)(5), Other Restoration Project "that will improve the natural capacity of a resource area(s) to protect the interests identified in [the WPA], may be permitted as an Ecological Restoration Limited Project provided that the Project meets the eligibility criteria set forth in 310 CMR 10.54(4)(a) though (d)." As a limited project, work within WPA regulated areas can proceed without fully meeting resource area performance standards. However, performance standards at this site will be met to the greatest extent practicable. Table 1 and the following sections detail the general provisions and performance standards under the WPA associated with the regulated wetland resource area in which the proposed work would occur. In addition, this Project meets the general provisions of 10.03 in regard to filing a NOI.

Table 1. General Provisions of all Wetlands and Inland Wetlands (310 CMR 10.03)

Citation	Regulation	Compliance
310 CMR 10.03(1)(a)1.	The area is not significant to the protection of any of the interests identified in the WPA.	The proposed work is located within Spy Pond which is located within a NHESP priority rare species habitat. The proposed work will improve the degraded pond by removing invasive and nuisance vegetation which will overall improve the resource area and habitat and therefore continue to protect the interests of the WPA.
310 CMR 10.03(1)(a)2.	Work within a resource area will contribute to the protection of the interests of the WPA.	The proposed work that is the subject of this NOI will be located within an area subject to regulation but will not adversely affect any resource areas. The proposed work will improve the water quality by removing invasive and nuisance vegetation that degrade the habitat.
310 CMR 10.03(1)(a)3.	Work within the buffer zone will contribute to the protection of the interests of the WPA.	There will be no work within the buffer zone, all work is proposed within the pond. Proposed work will not result in any adverse impacts to buffer

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Citation	Regulation	Compliance
		zone and will not diminish the ability of the project area to contribute to the interests of the WPA.
310 CMR 10.03(1)(b)	Claims of work outside of any jurisdictional area impacting a jurisdictional area must demonstrate the work has had an adverse impact.	Not applicable.
310 CMR 10.03(2)	Credible evidence from a competent source to support the position taken when contesting DEP's position.	Not applicable.
310 CMR 10.03(3)	Installation of subsurface sewage disposal systems.	Not applicable.
310 CMR 10.03(4)	Presumption concerning point-source discharges.	Several culverts discharge into the pond, howeve none of these act as a point-source discharge.
310 CMR 10.03(5)	Each resource area is presumed to be significant to the interests of the WPA.	The proposed work is designed to improve the water quality and habitat in the area, and therefore enhance a degraded pond. No work is proposed within the BVW. Proposed work will no result in any adverse impacts to regulated wetlan resource areas and will not diminish the ability of the project area to contribute to the interests of the WPA.
310 CMR 10.03(6)	Presumption concerning the application of herbicides.	The application of herbicide will be conducted via direct subsurface injection to actively growing populations of invasive aquatic vegetation and selected algae species. The proposed herbicides are registered for aquatic use meet strict federal guidelines and do not present an "unreasonable risk" to humans and the environment when applied in accordance with their product label.
310 CMR 10.03(7)(a)	Filing fees for NOIs pursuant to the WPA.	This is a municipal project and is except from filing fees.

# 4.2 Land under Water Bodies and Waterways (310 CMR 10.56(4))

Impacts to LUW consist of invasive and nuisance vegetation management. This work qualifies as an Ecological Restoration Limited Project under the category of invasive plant management. Furthermore, the proposed work will help retard eutrophication within Spy Pond and increase native vegetation development and native habitat. While proposed work will impact LUW through the destruction of vegetation, there will be little to no disturbance of the substrate (land under water). Herbicide applications will not disturb the substrate at all and proposed harvesting activities will only minimally disturb the substrate. Project activities are not anticipated to limit LUW's ability to protect the interests specified in 310 CMR 10.56. Table 3 lists the general performance standards for LUW.

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Table 3. General Performance Standards for Land under Water Bodies and Waterways 310 CMR 10.56(4)

Citation	Regulation	Compliance
310 CMR 10.56(4)(a)(1)	The water carrying capacity within the defined channel, which is provided by said land in conjunction with the banks;	No change in water carrying capacity of Spy Pond is proposed. The existing Pond Bank line will not be changed.
310 CMR 10.56(4)(a)(2)	Ground and surface water quality;	The Project proposed to enhance the water quality of Spy Pond by removal of invasive vegetation and toxic algae. The proposed pond treatment plan will allow for the habitat to enhance as native vegetation will have the ability to flourish.
310 CMR 10.56(4)(a)(3)	The capacity of said land to provide breeding habitat, escape cover and food for fisheries; and	By removing the invasive vegetation, native vegetation that provides a food source for native species within the Pond, will be able to flourish.
310 CMR 10.56(4)(a)(4)	The capacity of said land to provide important wildlife habitat functions	The work is proposed within Spy Pond which is currently degraded by invasive species. The proposed work will manage for the non-native species which in turn will open up habitat for native plant species and improve wildlife habitat by providing native food sources to the area. The removal of selected algae will improve oxygen levels in the water which in turn will improve habitat for aquatic species and reduce toxicity risk for wildlife that use the pond as a source of water.
310 CMR 10.56(4)(a)(5)	Work on a stream crossing shall be presumed to meet the performance standard set forth in 310 CMR 10.56(4)(a) provided the work is performed in compliance with the Massachusetts Stream Crossing Standards	No culvert installation, replacement, or stream crossing is proposed.
310 CMR 10.56(4)(b)	Notwithstanding the provisions of 310 CMR 10.56(4)(a), the issuing authority may issue an Order in accordance with M.G.L. c. 131, § 40 to maintain or improve boat channels within Land under Water Bodies and Waterways	The proposed work will improve boat navigability by reducing the invasive and nuisance plants that occur at the surface.
310 CMR 10.56(4)(c)	Notwithstanding the provisions of 310 CMR 10.56(4)(a) or (b), no project may be permitted which will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.59.	The proposed project is outside of NHESP mapped habitat for rare species.

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## 4.3 Arlington Bylaw Performance Standards

The proposed activities are located within LUW only. The proposed work is not anticipated to have an adverse impact on the resource areas and will improve the resource area.

#### 4.3.1 Land Under Water Bodies

As part of Section 22:

Section 22 (c): No activity, other than the maintenance of an already existing structure or resource area enhancement, which will result in the building within or upon, or removing, filling, dredging or altering of land under a water body or within 25 feet of land under a water body shall be done without written permission of the Commission.

The proposed management plan is proposing to maintain and enhance the publicly used Spy Pond by removing invasive and nuisance plant species and harmful algae. The proposed activities will increase water and habitat quality in the pond for wildlife, fisheries, and people.

Section 22 (D): The Commission may allow activity on land under a water body or within 100 feet of land under a water body if it complies with the following regulations. Any proposed work upon land under a water body or with 100 feet of land under a water body shall not impair the following:

(1) The water-carrying capacity within the defined channel, which is provided by said land in conjunction with the banks.

There will be no change in bank or water carrying capacity of the pond. The activities include herbicidal applications that targets specific plant species and algae. No dredging, construction, or grading is proposed.

(2) Ground and surface water quality and quantity.

The proposed activities will improve the water quality by reducing the invasive plants in the area and the number of harmful algae. The proposed activity will not adversely impact the quantity of ground and surface water.

(3) The capacity of said land to provide breeding habitat, escape cover or food for fisheries

The reduction of invasive plants will allow for native plant communities to grow, therefore providing the necessary food and breeding habitat, as well as escape cover, for native fish species. The proposed activities will target two types of plant species, no other vegetation within the pond will be impacted. The activities will also not change the grade or shift or remove any existing rocks or woody debris that act as cover or provide breeding habitat.

Section 22 (E): No work shall be performed within 50 feet of land under water bodies that abuts an estimated habitat area as designated on the most current map prepared by the Massachusetts Natural Heritage and Endangered Species Program.

The proposed work is located within priority habitat, but not within estimated habitat. The proposed work has been reviewed by NHESP and approved (NHESP Tracking No. 08-24360). Please refer to Appendix D for a copy of the NHESP letter.

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#### 5 CONCLUSION

The Spy Pond Management Plan, proposed in this NOI is designed to manage for invasive and nuisance aquatic vegetation and undesirable algae species at Spy Pond in Arlington for the next 5 years. Presently, the majority of the pond contains dense spiny naiad and curly-leaf pondweed, which degrade the pond habitat and outcompete native aquatic vegetation establishment. The harmful algae present also restrict the public's ability to safely utilize the pond recreationally and is a hazard to all surrounding landowners.

The proposed work will manage the invasive and nuisance aquatic vegetation as well as harmful algae within Spy Pond. As a result, this project will improve the water quality and aquatic habitat. This work is filed as an Ecological Restoration Limited Project and meets the provisions under that section of the WPA as well as the Arlington Wetlands Protection Bylaw Regulations. The proposed Project will result in a net ecological improvement and protects the interests of the WPA. Therefore, we respectfully request the Arlington Conservation Commission to issue an Order of Conditions in support of this Project.

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#### 6 REFERENCES CITED/LITERATURE CITED

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#### **APPENDIX A**

WPA Form 3

Ecological Restoration Checklist Form 3A

Legal Notice Charge Authorization



## WPA Form 3 - Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

ssDEP:
File Number
Transaction Number

City/Town

#### Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.





Note: Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

#### A. General Information

Spy Pond	Arlington	02476
a. Street Address	b. City/Town	c. Zip Code
Latituda and Langituda.	42.407569	-71.155364
Latitude and Longitude:	d. Latitude	e. Longitude
n/a	n/a	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	er
Applicant:		
David	Morgan	
a. First Name	b. Last Name	
Town of Arlington		
c. Organization		
730 Massachusetts Avenue		
d. Street Address	NAA	02476
Arlington e. City/Town	MA f. State	<u>02476</u> g. Zip Code
781-316-3090	dmorgan@town.arlir	- · · · · · · · · · · · · · · · · · · ·
h. Phone Number i. Fax Number	j. Email Address	igion.ma.us
c. Organization		
d. Street Address		
d. Street Address e. City/Town	f. State	g. Zip Code
	f. State j. Email address	g. Zip Code
e. City/Town		g. Zip Code
e. City/Town  h. Phone Number  i. Fax Number		g. Zip Code
e. City/Town  h. Phone Number  Representative (if any):  Naomi a. First Name	j. Email address	g. Zip Code
e. City/Town  h. Phone Number  Representative (if any):  Naomi a. First Name  SWCA Environmental Consultants	j. Email address  Valentine	g. Zip Code
e. City/Town  h. Phone Number  Representative (if any):  Naomi a. First Name  SWCA Environmental Consultants c. Company	j. Email address  Valentine	g. Zip Code
e. City/Town  h. Phone Number  Representative (if any):  Naomi a. First Name  SWCA Environmental Consultants c. Company  15 Research Drive	j. Email address  Valentine	g. Zip Code
e. City/Town  h. Phone Number  Representative (if any):  Naomi a. First Name  SWCA Environmental Consultants c. Company  15 Research Drive d. Street Address	j. Email address  Valentine b. Last Name	
e. City/Town  h. Phone Number  Representative (if any):  Naomi a. First Name  SWCA Environmental Consultants c. Company  15 Research Drive d. Street Address  Amherst	j. Email address  Valentine b. Last Name	01002
e. City/Town  h. Phone Number  Representative (if any):  Naomi a. First Name  SWCA Environmental Consultants c. Company 15 Research Drive d. Street Address Amherst e. City/Town	j. Email address  Valentine b. Last Name  MA f. State	01002 g. Zip Code
e. City/Town  h. Phone Number  Representative (if any):  Naomi a. First Name SWCA Environmental Consultants c. Company 15 Research Drive d. Street Address Amherst	j. Email address  Valentine b. Last Name  MA f. State nvalentine@swca.co	01002 g. Zip Code
e. City/Town  h. Phone Number  Representative (if any):  Naomi a. First Name SWCA Environmental Consultants c. Company 15 Research Drive d. Street Address Amherst e. City/Town 413-658-2012 h. Phone Number  i. Fax Number	j. Email address  Valentine b. Last Name  MA f. State nvalentine@swca.co j. Email address	01002 g. Zip Code
e. City/Town  h. Phone Number  Representative (if any):  Naomi a. First Name  SWCA Environmental Consultants c. Company 15 Research Drive d. Street Address  Amherst e. City/Town 413-658-2012	j. Email address  Valentine b. Last Name  MA f. State nvalentine@swca.co j. Email address	01002 g. Zip Code
e. City/Town  h. Phone Number  Representative (if any):  Naomi a. First Name SWCA Environmental Consultants c. Company 15 Research Drive d. Street Address Amherst e. City/Town 413-658-2012 h. Phone Number  i. Fax Number	j. Email address  Valentine b. Last Name  MA f. State nvalentine@swca.cc j. Email address  Fee Transmittal Form):	01002 g. Zip Code



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Α.	General Information (continued)			
6. General Project Description: Town of Arlington proposes management of Spy Pond with in-lake treatment activities of invasive plant species. Activities include the application of herbicide via direct application growing populations of invasive aquatic vegetation. Please refer to Project narrative for a details.				
	1. Single Family Home	2. Residential Subdivision		
	3. Commercial/Industrial	4. Dock/Pier		
	5. Utilities	6.   Coastal engineering Structure		
	7. Agriculture (e.g., cranberries, forestry)	8. Transportation		
	9. 🛛 Other			
7b.	10.24 and 10.53 for a com 310 CMR 10.53(4) Resource Improvement			
8.	2. Limited Project Type  If the proposed activity is eligible to be treated as a CMR10.24(8), 310 CMR 10.53(4)), complete and a Project Checklist and Signed Certification.  Property recorded at the Registry of Deeds for: n/a	attach Appendix A: Ecological Restoration Limited		
	a. County	b. Certificate # (if registered land)		
	c. Book	d. Page Number		
В.	<b>Buffer Zone &amp; Resource Area Imp</b>	acts (temporary & permanent)		
1.	☐ Buffer Zone Only – Check if the project is locat	ed only in the Buffer Zone of a Bordering		
2.	<ul> <li>Vegetated Wetland, Inland Bank, or Coastal Resource Area.</li> <li>Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).</li> </ul>			

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

# **Massachusetts Department of Environmental Protection**Bureau of Resource Protection - Wetlands

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#### B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Resour	ce Area	Size of Proposed Alteration	Proposed Replacement (if any)		
a. 🗌	Bank	1. linear feet	2. linear feet		
b	Bordering Vegetated Wetland	1. square feet	2. square feet		
c. 🔀	Land Under Waterbodies and	4,443,120 1. square feet	0 2. square feet		
	Waterways	3. cubic yards dredged			
Resour	rce Area	Size of Proposed Alteration	Proposed Replacement (if any)		
d. 🗌	Bordering Land Subject to Flooding	1. square feet	2. square feet		
		3. cubic feet of flood storage lost	4. cubic feet replaced		
е. 🗌	Isolated Land Subject to Flooding	1. square feet			
		2. cubic feet of flood storage lost	3. cubic feet replaced		
f. 🗌	Riverfront Area	1. Name of Waterway (if available) - spec	cify coastal or inland		
2.	Width of Riverfront Area	(check one):			
	25 ft Designated De	ensely Developed Areas only			
	☐ 100 ft New agricultural projects only				
	200 ft All other proj	ects			
3.	3. Total area of Riverfront Area on the site of the proposed project:				
4.	4. Proposed alteration of the Riverfront Area:				
<u>a.</u> t	total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.		
5.	5. Has an alternatives analysis been done and is it attached to this NOI?    Yes  No				
6. Was the lot where the activity is proposed created prior to August 1, 1996?   Yes  No					
☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)					

Note: for coastal riverfront areas, please complete Section B.2.f. above.

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#### B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your
document
transaction
number
(provided on your
receipt page)
with all
supplementary
information you
submit to the
Department.

Resource Area		Size of Proposed Alteration		Proposed Replacement (if any)	
а. 🗌	Designated Port Areas	Indicate size under Land Under the Ocean, below			
b. 🗌	Land Under the Ocean	1. square feet			
		2. cubic yards dredge	ed		
с. 🗌	Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below			
d. 🗌	Coastal Beaches	1. square feet		2. cubic yards beach nourishment	
е. 🗌	Coastal Dunes	1. square feet		2. cubic yards dune nourishment	
		Size of Proposed	d Alteration	Proposed Replacement (if any)	
f. 🗌	Coastal Banks	1. linear feet			
g. 🗌	Rocky Intertidal Shores	1. square feet			
h. 🗌	Salt Marshes	1. square feet		2. sq ft restoration, rehab., creation	
i. 🗌	Land Under Salt Ponds	1. square feet			
		2. cubic yards dredge	ed		
j. 🗌	Land Containing Shellfish	1. square feet			
k. 🗌	Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
		1. cubic yards dredge	ed		
I. 🗌	Land Subject to Coastal Storm Flowage	1. square feet			
Restoration/Enhancement If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.					
a. square feet of BVW			b. square feet of S	alt Marsh	
☐ Pro	oject Involves Stream Cros	sings			
a. number of new stream crossings			b. number of repla	cement stream crossings	

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4.

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#### C. Other Applicable Standards and Requirements

This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists - Required Actions (310 CMR 10.11).

Stı	treamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review			
1.	Is any portion of the proposed project located in <b>Estimated Habitat of Rare Wildlife</b> as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the <i>Massachusetts Natural Heritage Atlas</i> or go to <a href="http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm">http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm</a> .			
	a. X Yes	☐ No If yes, include proof of r	mailing or hand delivery of NOI to:	
	2019 b. Date of ma	Division of Fisheries a 1 Rabbit Hill Road Westborough MA 015		
	If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); OR complete Section C.2.f, if applicable. If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).			
	c. Submit	Supplemental Information for Endanger	ed Species Review*	
	1. 🛛	Percentage/acreage of property to be	altered:	
	(a)	within wetland Resource Area	100%	
	(4)	Within Wettaria Resource / Rea	percentage/acreage	
	(b)	outside Resource Area	0 percentage/acreage	
	2.	Assessor's Map or right-of-way plan o	f site	
2.	.   Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **			
	(a) 🔀	Project description (including descript buffer zone)	ion of impacts outside of wetland resource area &	
	(b)	Photographs representative of the site	e	

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<sup>\*</sup> Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <a href="https://www.mass.gov/ma-red">https://www.mass.gov/ma-red</a> endangered-species-act-mesa-regulatory-review).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

<sup>\*\*</sup> MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process. not required as part of the Notice of Intent process.



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## C. Other Applicable Standards and Requirements (cont'd)

	(c) MESA filing fee (fee information available at <a href="https://www.mass.gov/how-to/how-to-filea-mesa-project-review">https://www.mass.gov/how-to/how-to-filea-mesa-project-review</a> ).  Make check payable to "Commonwealth of Massachusetts - NHESP" and <i>mail to NHESP</i> at above address			
	Project	s altering <b>10 or more acres</b> of land, also subi	mit:	
	(d) 🔀	Vegetation cover type map of site		
	(e) 🔀	Project plans showing Priority & Estima	ted Habitat boundaries	
	(f) OF	R Check One of the Following		
	1. 🗌	Project is exempt from MESA review. Attach applicant letter indicating which https://www.mass.gov/service-details/expriority-habitat; the NOI must still be sell habitat pursuant to 310 CMR 10.37 and	xemptions-from-review-for nt to NHESP if the project	or-projectsactivities-in-
	2. 🗌	Separate MESA review ongoing.	a. NHESP Tracking #	b. Date submitted to NHESP
	3.	Separate MESA review completed. Include copy of NHESP "no Take" determit with approved plan.	rmination or valid Conser	vation & Management
3.	For coasta line or in a	I projects only, is any portion of the proportish run?	osed project located below	w the mean high water
	a. Not a	applicable – project is in inland resource a	area only b. 🗌 Yes	☐ No
	If yes, inclu	ude proof of mailing, hand delivery, or ele	ectronic delivery of NOI to	either:
	South Shore the Cape &	e - Cohasset to Rhode Island border, and Islands:	North Shore - Hull to New	Hampshire border:
	Southeast N Attn: Environ 836 South F New Bedfor	Marine Fisheries - Marine Fisheries Station nmental Reviewer Rodney French Blvd. rd, MA 02744 f.envreview-south@mass.gov	Division of Marine Fisheric North Shore Office Attn: Environmental Revie 30 Emerson Avenue Gloucester, MA 01930 Email: dmf.envreview-	ewer
	Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.			
	c. Is	this an aquaculture project?	d. 🗌 Yes 🛛 No	
	If yes, inclu	ude a copy of the Division of Marine Fishe	eries Certification Letter (	M.G.L. c. 130, § 57).



## WPA Form 3 - Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

rovic	led by MassDEP:
N	MassDEP File Number
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F	Arlington
C	City/Town

#### C. Other Applicable Standards and Requirements (cont'd)

	4.	Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
Online Users: Include your document		a. $\square$ Yes $\boxtimes$ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). <b>Note:</b> electronic filers click on Website.
transaction		b. ACEC
number (provided on your receipt page)	5.	Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
with all supplementary		a. 🗌 Yes 🗵 No
information you submit to the Department.	6.	Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
		a. 🗌 Yes 🔀 No
	7.	Is this project subject to provisions of the MassDEP Stormwater Management Standards?
		<ul> <li>a. Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:</li> <li>1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)</li> </ul>
		2. A portion of the site constitutes redevelopment
		3. Proprietary BMPs are included in the Stormwater Management System.
		b. No. Check why the project is exempt:
		1. Single-family house
		2. Emergency road repair
		3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.
	D.	Additional Information
		This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).
		Applicants must include the following with this Notice of Intent (NOI). See instructions for details.
		<b>Online Users:</b> Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.
		1. Substituting Sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
		2. Plans identifying the location of proposed activities (including activities proposed to serve as

a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative

to the boundaries of each affected resource area.



# WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

)ro	Provided by MassDEP:		
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	MassDEP File Number		
	Document Transaction Number		
	Arlington		
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#### D. Additional Information (cont'd)

	- 10101	(************************	
	3.		ource area boundary delineations (MassDEP BVW cability, Order of Resource Area Delineation, etc.), dology.
	4. 🛛	List the titles and dates for all plans and oth	er materials submitted with this NOI.
	a. F	Plan Title	
	b. F	Prepared By	c. Signed and Stamped by
	d. F	Final Revision Date	e. Scale
	f. A	dditional Plan or Document Title	g. Date
	5.	If there is more than one property owner, pl listed on this form.	ease attach a list of these property owners not
	6. 🛛	Attach proof of mailing for Natural Heritage	and Endangered Species Program, if needed.
	7.	Attach proof of mailing for Massachusetts D	Division of Marine Fisheries, if needed.
	8. 🛚	Attach NOI Wetland Fee Transmittal Form	
	9.	Attach Stormwater Report, if needed.	
Ε.	Fees		
	1.		d for projects of any city, town, county, or district Indian tribe housing authority, municipal housing portation Authority.
		ants must submit the following information (in ansmittal Form) to confirm fee payment:	addition to pages 1 and 2 of the NOI Wetland
	2. Munic	ipal Check Number	3. Check date
	4. State	Check Number	5. Check date
	6. Payor	name on check: First Name	7. Payor name on check: Last Name



## WPA Form 3 - Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
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#### F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

	08.31.22	
1. Signature of Applicant	2. Date	
3. Signature of Property Owner (if different)	4. Date	_
Namu blutin	8/31/2022	
5. Signature of Representative (if any)	6. Date	

#### For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

#### For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

#### Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



#### Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

A. Applicant Information

#### **NOI Wetland Fee Transmittal Form**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

#### Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key





Location of Project	t:		
Spy Pond		Arlington	
a. Street Address		b. City/Town	
n/a		exempt	
c. Check number		d. Fee amount	
Applicant Mailing	Address:		
David		Morgan	
a. First Name		b. Last Name	
	Conservation Commission		
c. Organization	·	· ·	
730 Massachusett	s Avenue		
d. Mailing Address			
Arlington		MA	02476
e. City/Town		f. State	g. Zip Code
781-316-3090		dmorgan@town.arlington.i	ma.us
h. Phone Number	i. Fax Number	j. Email Address	
Property Owner (if	different):		
a. First Name		b. Last Name	
c. Organization			
d. Mailing Address			
e. City/Town		f. State	g. Zip Code
h. Phone Number	i. Fax Number	j. Email Address	

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

#### B. Fees

Fee should be calculated using the following process & worksheet. *Please see Instructions before filling out worksheet.* 

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

**Step 4/Subtotal Activity Fee:** Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

**Step 6/Fee Payments:** To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.



#### **Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

#### **NOI Wetland Fee Transmittal Form**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

<b>Fees</b> (continued)			
Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Fee Exempt- Municipal Project		-	\$0
	_		
	Step 5/To	otal Project Fee	:
	Step 6	Fee Payments:	
	Total	Project Fee:	\$0 a. Total Fee from Step 5
	State share	of filing Fee:	\$0 b. 1/2 Total Fee <b>less \$</b> 12.50
	City/Town shar	e of filling Fee:	\$0 c. 1/2 Total Fee <b>plus</b> \$12.50

## C. Submittal Requirements

a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection Box 4062 Boston, MA 02211

b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



## WPA Form 3 – Notice of Intent Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

# Provided by MassDEP: MassDEP File Number Document Transaction Number Arlington City/Town

#### **Eligibility Checklist**

This Ecological Restoration Limited Project Eligibility Checklist guides the applicant in determining if their project is eligible to file as an Inland or Coastal Ecological Restoration Limited Project (310 CMR 10.53(4) or 310 CMR 10.24(8) respectively). These criteria must be met when submitting the Ecological Restoration Limited Project Notice of Intent to ensure that the restoration and improvement of the natural capacity of a Resource Area(s) to protect and sustain the interests identified in the WPA is **necessary** to achieve the project's ecological restoration goals.

#### Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.





Note:
Before
completing this
form consult your
local
Conservation
Commission
regarding any
municipal bylaw
or ordinance.

#### Regulatory Features of All Coastal and Inland Ecological Restoration Limited Projects

- (a) May result in the temporary or permanent loss of/or conversion of Resource Area: An Ecological Restoration Limited Project that meets the requirements of 310 CMR 10.24(8) may result in the temporary or permanent loss of Resource Areas and/or the conversion of one Resource Area to another when such loss is necessary to the achievement of the project's ecological restoration goals.
- (b) Exemption from wildlife habitat evaluation: A NOI for an Ecological Restoration Limited Project that meets the minimum requirements for Ecological Restoration Projects and for a MassDEP Combined Application outlined in 310 CMR 10.12(1) and (2) is exempt from providing a wildlife habitat evaluation (310 CMR 10.60).
- (c) The following are considerations for applicants filing an Ecological Restoration Limited Project NOI and for the issuing authority approving a project as an Ecological Restoration Limited Project:
  - ☐ The condition of existing and historic Resource Areas proposed for restoration.
  - Evidence of the extent and severity of the impairment(s) that reduce the capacity of the Resource Areas to protect and sustain the interests identified in M.G.L. c. 131, § 40.
  - The magnitude and significance of the benefits of the Ecological Restoration Project in improving the capacity of the affected Resource Areas to protect and sustain the other interests identified in M.G.L. c. 131, § 40.
  - The magnitude and significance of the impacts of the Ecological Restoration Project on existing Resource Areas that may be modified, converted and/or lost and the interests for which said Resource Areas are presumed significant in 310 CMR 10.00, and the extent to which the project will:
    - a. avoid adverse impacts to Resource Areas and the interests identified in M.G.L. c. 131, § 40, that can be avoided without impeding the achievement of the project's ecological restoration goals.
    - b. minimize adverse impacts to Resource Areas and the interests identified in M.G.L. c. 131, § 40, that are necessary to the achievement of the project's ecological restoration goals.
    - utilize best management practices such as erosion and siltation controls and proper construction sequencing to avoid and minimize adverse construction impacts to resource areas and the interests identified in M.G.L. c. 131, § 40.



## WPA Form 3 – Notice of Intent Appendix A: Ecological Restoration Limited Project Checklists

Provided by MassDEP:
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# Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8))

Complete this Eligibility Criteria Checklist *before* filling out a Notice of Intent Application to determine if your project qualifies as a Coastal Ecological Restoration Limited Project. (310 CMR 10.24(8)) Sign the Eligibility Certification at the end of Appendix A, and attach the checklist with supporting documentation and the Eligibility Certification to your Notice of Intent Application.

Notwithstanding the requirements of 310 CMR 10.25 through 10.35, 310 CMR 10.54 through 10.58,

#### General Eligibility Criteria for All Coastal Ecological Restoration Limited Projects

Cor Ecc	If the Wildlife Habitat evaluations in 310 CMR 10.60, the Issuing Authority may issue an Order of Inditions permitting an Ecological Restoration Project listed in 310 CMR 10.24(8)(e) as an ological Restoration Limited Project and impose such conditions as will contribute to the interests in the WPA M.G.L. provided that the project meets all the requirements in 310 CMR 10.24
	The project is an Ecological Restoration Project as defined in 310 CMR 10.04 and is a project typlisted below [310 CMR 10.24(8)(e)].
	Tidal Restoration.
	Shellfish Habitat Restoration.
	Other Ecological Restoration Limited Project Type.
	The project will further at least one of the WPA (M.G.L. c. 131, § 40) interests identified below.
	☐ Protection of public or private water supply.
	☐ Protection of ground water supply.
	Flood control.
	☐ Storm damage prevention.
	☐ Prevention of pollution.
	☐ Protection of land containing shellfish.
	☐ Protection of fisheries.
	☐ Protection of wildlife habitat.
	If the project will impact an area located within estimated habitat which is indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands, a NHESP preliminary written determination is attached to the NOI submittal that the project will not have any adverse long-term and short-term effects on specified habitat sites of Rare Species or the project will be carried out in accordance with an approved NHESP habitat management plan.



## WPA Form 3 – Notice of Intent Appendix A: Ecological Restoration Limited Project Checklists

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Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8)) (Cont.)

General Eligibility Criteria for All Coastal Ecological Restoration Limited Projects (cont.)
<ul> <li>If the project is located in a Coastal Dune or Barrier Beach, the project avoids and minimizes armoring of the Coastal Dune or Barrier Beach to the maximum extent practicable.</li> <li>The project complies with all applicable provisions of 310 CMR 10.24(1) through (6) and 310 CMR 10.24(9) and (10).</li> </ul>
Additional Eligibility Criteria for Specific Coastal Ecological Restoration Limited Project Types
These additional criteria must be met to qualify as an Ecological Restoration Limited Project to ensure that the restoration and improvement of the natural capacity of a Resource Area to protect and sustain the interests identified in the WPA is <b>necessary</b> to achieve the project's ecological restoration goals.
This Ecological Restoration Limited Project application meets the eligibility criteria for Ecological Restoration Limited Project [310 CMR 10.24(8)(a) through (d) and as proposed, furthers at least one of the WPA interests is for the project type identified below.
☐ Tidal Restoration Projects
A project to restore tidal flow that will not significantly increase flooding or storm damage impacts to the built environment, including without limitation, buildings, wells, septic systems, roads or other man-made structures or infrastructure.
☐ Shellfish Habitat Restoration Projects
The project has received a Special Projects Permit from the Division of Marine Fisheries or, if a municipality, has received a shellfish propagation permit.
The project is made of cultch (e.g., shellfish shells from oyster, surf or ocean clam) or is a structure manufactured specifically for shellfish enhancement (e.g., reef blocks, reef balls, racks, floats, rafts, suspended gear).
Other Ecological Restoration Projects that meet the criteria set forth in 310 CMR 10.24(8)(a) through (d).
Restoration, enhancement, or management of Rare Species habitat.
Restoration of hydrologic and habitat connectivity.
Removal of aquatic nuisance vegetation to impede eutrophication.
☐ Thinning or planting of vegetation to improve habitat value.
Fill removal and re-grading.
☐ Riparian corridor re-naturalization.
River floodplain re-connection.



## WPA Form 3 – Notice of Intent Appendix A: Ecological Restoration Limited Project Checklists

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Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8)) (Cont.)

Additional Eligibility Criteria for Specific Coastal Ecological Restoration Limited Project Types		
☐ In-stream habitat enhancement.		
Remediation of historic tidal wetland ditching.		
☐ Eelgrass restoration.		
☐ Invasive species management.		
☐ Installation of fish passage structures.		
Other. Describe:		
<ul> <li>☐ This project involves the construction, repair, replacement or expansion of public or private infrastructure (310 CMR 10.24(9).</li> <li>☐ The NOI attachment labeled is an operation and maintenance plan to ensure that the infrastructure will continue to function as designed.</li> </ul>		
The operation and maintenance plan will be implemented as a continuing condition in the Order of Conditions and the Certificate of Compliance.		
☐ This project proposes to replace an existing stream crossing (310 CMR 10.24(10). The crossing complies with the Massachusetts Stream Crossing Standards to the maximum exten practicable with details provided in the NOI. The crossing type:		
<ul> <li>☐ Replaces an existing non-tidal crossing that is part of an Anadromous/Catadromous Fish Run (310 CMR 10.35)</li> <li>☐ Replaces an existing tidal crossing that restricts tidal flow. The tidal restriction will be eliminated to the maximum extent practicable.</li> <li>☐ At a minimum, in evaluating the potential to comply with the standards to the maximum extent practicable the following criteria have been consider site constraints in meeting the standard, undesirable effects or risk in meeting the standard, and the environmental benefit of meeting</li> </ul>		
the standard compared to the cost, by evaluating the following:  The potential for downstream flooding;		
☐ Upstream and downstream habitat (in-stream habitat, wetlands);		
☐ Potential for erosion and head-cutting;		
☐ Stream stability;		
☐ Habitat fragmentation caused by the crossing;		
☐ The amount of stream mileage made accessible by the improvements;		
☐ Storm flow conveyance:		



## WPA Form 3 – Notice of Intent Appendix A: Ecological Restoration Limited Project Checklists

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8)) (Cont.)

Additional Eligibility Criteria for Specific Coastal Ecological Restoration Limited Project Types		
☐ Engineering design constraints specific to the crossing;		
☐ Hydrologic constraints specific to the crossing;		
☐ Impacts to wetlands that would occur by improving the crossing;		
☐ Potential to affect property and infrastructure; and		
Cost of replacement.		
igibility Criteria - Inland Ecological Restoration Limited Project (310 MR 10.53(4))		
Complete this Eligibility Criteria Checklist <b>before</b> filling out a Notice of Intent Application to determine if your project qualifies as an Inland Ecological Restoration Limited Project. (310 CMR 10.53(4)) Sign the Eligibility Certification at the end of Appendix A, and attach the checklist with supporting documentation and the Eligibility Certification to your Notice of Intent Application.		
General Eligibility Criteria for All Inland Ecological Restoration Limited Projects		
Notwithstanding the requirements of any other provision of 310 CMR 10.25 through 10.35, 310 CMR 10.54 through 10.58, and 310 CMR 10.60, the Issuing Authority may issue an Order of Conditions permitting an Ecological Restoration Project listed in 310 CMR 10.53(4)(e) as an Ecological Restoration Limited Project and impose such conditions as will contribute to the interests identified in M.G.L. c. 131, § 40, provided that:		
<ul> <li>☐ The project is an Ecological Restoration Project as defined in 310 CMR 10.04 and is a project type listed below [310 CMR 10.53(4)(e)].</li> <li>☐ Dam Removal</li> </ul>		
☐ Freshwater Stream Crossing Repair and Replacement		
☐ Stream Daylighting		
☐ Tidal Restoration		
Rare Species Habitat Restoration		
Restoring Fish Passageways		
Other (describe project type): Invasive plant management		



## WPA Form 3 – Notice of Intent Appendix A: Ecological Restoration Limited Project Checklists

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# Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

General Eligibility Criteria for All Inland Ecological Restoration Limited Projects

•	=g
	The project will further at least one of the WPA (M.G.L. c. 131, § 40) interests identified below.
	☐ Protection of public or private water supply
	☐ Protection of ground water supply
	☐ Flood control
	Storm damage prevention
	☐ Prevention of pollution
	☐ Protection of land containing shellfish
	□ Protection of fisheries
	If the project will impact an area located within estimated habitat which is indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands, a NHESP preliminary written determination is attached to the NOI submittal that the project will have no adverse long-term and short-term effects on specified habitat sites of Rare Species or the project will be carried out in accordance with an approved NHESP habitat management plan.
	The project will be carried out in accordance with any time of year restrictions or other conditions recommended by the Division of Marine Fisheries for coastal waters and the Division of Fisheries and Wildlife in accordance with 310 CMR 10.11(3).
	If the project involves the dredging of 100 cubic yards of sediment or more or dredging of any amount in an Outstanding Resource Water, a Water Quality Certification has been applied for or obtained.
	The project complies with all applicable provisions of 310 CMR 10.53(1), (2), (7), and (8).



## WPA Form 3 – Notice of Intent Appendix A: Ecological Restoration Limited Project Checklists

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# Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

#### Additional Eligibility Criteria for Specific Inland Ecological Restoration Limited Project Types

These additional criteria must be met to qualify as an Ecological Restoration Limited Project to ensure that the restoration and improvement of the natural capacity of a Resource Area to protect and sustain the interests identified in the WPA is **necessary** to achieve the project's ecological restoration goals.

uic	IIIIC	rests identified in the Wi A is necessary to define the project's coological restoration goals.
	acc	s project application meets the eligibility criteria for Ecological Restoration Limited Project in cordance with [310 CMR 10.53(4)(a) through (d) and as proposed, furthers at least one of the PA interests is for the project type identified below:
		Dam Removal
		Project is consistent with MassDEP's 2007 Dam Removal Guidance.
		<b>Freshwater Stream Crossing Repair and Replacement</b> . The project as proposed and the NOI describes how:
		☐ Meeting the eligibility criteria set forth in 310 CMR 10.13 would result in significant stream instability or flooding hazard that cannot otherwise be mitigated, and site constraints mak it impossible to meet said criteria.
		☐ The project design ensures that the stability of the bank is NOT impaired.
		☐ To the maximum extent practicable, the project provides for the restoration of the stream upstream and downstream of the structure as needed to restore stream continuity and eliminate barriers to aquatic organism movement.
		☐ The project complies with the requirements of 310 CMR 10.53(7) and (8).
		Stream Daylighting Projects
		The project meets the eligibility criteria for Ecological Restoration Limited Project [310 CMR 10.53(4)(a) through (d)] and as proposed the NOI describes how the proposed project meets to the maximum extent practicable, consistent with the project's ecological restoration goals, all the performance standards for Bank and Land Under Water Bodies and Waterways.
		☐ The project meets the requirements of 310 CMR 10.12(1) and (2) and a wildlife habitat evaluation is not included in the NOI.
		Tidal Restoration Project
		Restores tidal flow.
		the project, including any proposed flood mitigation measures, will not significantly increase flooding or storm damage to the built environment, including without limitation, buildings, wells, septic systems, roads or other man-made structures or infrastructure.



## WPA Form 3 – Notice of Intent Appendix A: Ecological Restoration Limited Project Checklists

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

# Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

Other Ecological Restoration Projects that meet the criteria set forth in 310 CMR 10.53 (4)

(a) through (d).
Restoration, enhancement, or management of Rare Species habitat.
Restoration of hydrologic and habitat connectivity.
Removal of aquatic nuisance vegetation to impede eutrophication.
☐ Thinning or planting of vegetation to improve habitat value.
Riparian corridor re-naturalization.
River floodplain re-connection.
☐ In-stream habitat enhancement.
☐ Fill removal and re-grading.
☐ Flow restoration.
☐ Installation of fish passage structures.
☐ Invasive species management.
Other. Describe:
This project involves the construction, repair, replacement or expansion of public or private infrastructure. (310 CMR 10.53(7))  The NOI attachment labeled is an operation and maintenance plan to ensure that the infrastructure will continue to function as designed.  The operation and maintenance plan will be implemented as a continuing condition in the Order of Conditions and the Certificate of Compliance.
This project replaces an existing stream crossing (310 CMR 10.53(8)). The crossing type:
<ul> <li>Replaces an existing non-tidal crossing designed to comply with the Massachusetts Stream Crossing Standards to the maximum extent practicable with details provided in the NOI.</li> <li>Replaces an existing tidal crossing that restricts tidal flow. The tidal restriction will be eliminated to the maximum extent practicable.</li> </ul>



## WPA Form 3 – Notice of Intent Appendix A: Ecological Restoration Limited Project Checklists

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

# Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

At a minimum, in evaluating the potential to comply with the standards to the maximum extent practicable the following criteria have been consider site constraints in meeting the standard, undesirable effects or risk in meeting the standard, and the environmental benefit of meeting the standard compared to the cost, by evaluating the following:
☐ The potential for downstream flooding;
☐ Upstream and downstream habitat (in-stream habitat, wetlands);
☐ Potential for erosion and head-cutting;
☐ Stream stability;
☐ Habitat fragmentation caused by the crossing;
☐ The amount of stream mileage made accessible by the improvements;
☐ Storm flow conveyance;
☐ Engineering design constraints specific to the crossing;
Hydrologic constraints specific to the crossing;
☐ Impacts to wetlands that would occur by improving the crossing;
☐ Potential to affect property and infrastructure; and
Cost of replacement.



## WPA Form 3 - Notice of Intent **Appendix A: Ecological Restoration Limited Project Checklists**

	Outiloto		
Massachusetts	Wetlands Protection Act M.G.L.	c 13	1 840

Provided by MassDEP:				
N	MassDEP File Number			
C	Oocument Transaction Number			
_	Arlington City/Town			

# Massachusetts Wetlands Protection Act M.G.L. Required Actions (310 CMR 10.11)

					ired Actions <u>before</u> submitting a Notice of Ir and submit a completed copy of this Check	
$\boxtimes$		Massachusetts Environmental Policy Act (MEPA) / Environmental Monitor https://www.mass.gov/service-details/the-environmental-monitor				
	For	Eco	olog	ical I	Restoration Limited Projects, there are no c	hanges to MEPA requirements.
	Submit written notification at least 14 days prior to the filing of a Notice of Intent (NOI) to the Environmental Monitor for publication. A copy of the written notification is attached and provides at minimum:					
	$\boxtimes$	A b	rief	des	cription of the proposed project.	
	☐ The anticipated NOI submission date to the conservation commission.				on commission.	
	☑ The name and address of the conservation commission that will review the NOI.				n that will review the NOI.	
	Specific details as to where copies of the NOI may be examined or acquired and where to obtain the date, time, and location of the public hearing.				examined or acquired and where to obtain	
$\boxtimes$	Ma	ssa	chu	sett	s Endangered Species Act (MESA) /Wetla	ands Protection Act Review
	Preliminary Massachusetts Endangered Species Act Review from the Natural Heritage and Endangered Species Program (NHESP) has been met and the written determination is attached.					
	Supplemental Information for Endangered Species Review has been submitted.				Review has been submitted.	
			1.	$\boxtimes$	Percentage/acreage of property to be alter	red:
				a.	Within Wetland Resource Area	100% Percentage/acreage
				b.	Outside Wetland Resource Area	Percentage/acreage
			2.		Assessor's Map or right-of-way plan of site	3
	3. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work.					
	<ol> <li>Project description (including description of impacts outside of wetland resource area</li> <li>buffer zone)</li> </ol>					
			5.		Photographs representative of the site	
	6. MESA filing fee (fee information available at <a href="https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review">https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review</a> )					



## WPA Form 3 – Notice of Intent **Appendix A: Ecological Restoration Limited Project Checklists**

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Require

	Provided by MassDEP:
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	Arlington
	City/Town

•		Manuala Brata atian Aat M.O.L. a. 404, 640	City/Town
		etts Wetlands Protection Act M.G.L. c. 131, §40	
qui	red	Actions (310 CMR 10.11) (cont.)	
	Ma	ake check payable to "Commonwealth of Massachusetts - N	IHESP" and mail to NHESP:
		Natural Heritage & Endangered Species Program MA Division of Fisheries & Wildlife 1 Rabbit Hill Road Westborough, MA 01581	
	7.	Projects altering 10 or more acres of land, also submit:	
		a. 🛛 Vegetation cover type map of site	
		b. Project plans showing Priority & Estimated Habita	t boundaries
	<u>OF</u>	R Check One of the Following:	
	1.	Project is exempt from MESA review.	
	<u>htt</u> mu	each applicant letter indicating which MESA exemption applips://www.mass.gov/service-details/ma-endangered-speciesust still be sent to NHESP if the project is within estimated h.37 and 10.59 – see C4 below)	s-act-mesa-overview; the NOI
	2.	☐ Separate MESA review ongoing.	
	3. or	a. NHESP Tracking #  Separate MESA review completed. Include copy of NI valid Conservation & Management Permit with approved place.	
⊠ E	Stima	ated Habitat Map of State-Listed Rare Wetlands Wildlife	
0 N V e	on the latura lew had lectro	rtion of the proposed project is located in <b>Estimated Habita</b> most recent Estimated Habitat Map of State-Listed Rare W Il Heritage and Endangered Species Program (NHESP), colabitat maps, see the <b>Massachusetts Natural Heritage Atla</b> inically at: <a href="https://www.mass.gov/guides/masswildlife-public te-atlas-">https://www.mass.gov/guides/masswildlife-public te-atlas-</a>	etland Wildlife published by the mplete the portion below. To as or view the maps ations#-massachusetts-natural-
L		oreliminary written determination from Natural Heritage and HESP) must be obtained indicating that:	Endangered Species Program
		Project will NOT have long- or short-term adverse effect of located within estimated habitat indicated on the most receptate-Listed Rare Wetlands Wildlife published by NHESP.	ent Estimated Habitat Map of
		Project will have long- or short-term adverse effect on the within estimated habitat indicated on the most recent Estin Listed Rare Wetlands Wildlife published by NHESP. A copreliminary determination in accordance with 310 CMR 10 specifies:	nated Habitat Map of State- py of NHESP's written
		□ Date of the map:      □ 2008 MassGIS Data     □ 2008 MassGIS Data	



## WPA Form 3 - Notice of Intent **Appendix A: Ecological Restoration Limited Project Checklists**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Doc	ment Transaction Number	
Arli	ngton	
City/	Town	

MassDEP File Number

Provided by MassDEP:

Require	ed Actions (310 CMR 10.11) (cont.)
	☐ If the Rare Species identified is/are likely to continue to be located on or near the project, and if so, whether the Resource Area to be altered is in fact part of the habitat of the Rare Species.
	☐ That if the project alters Resource Area(s) within the habitat of a Rare Species:
	☐ The Rare Species is identified;
	□ NHESP's recommended changes or conditions necessary to ensure that the project will have no short or long term adverse effect on the habitat of the local population of the Rare Species is provided; or
	☐ An approved NHESP habitat management plan is attached with this Notice of Intent.
	Send the request for a preliminary determination to: Natural Heritage & Endangered Species Program MA Division of Fisheries & Wildlife 1 Rabbit Hill Road Westborough, MA 01581
☐ Div	vision of Marine Fisheries
Tir	If the project will occur within a coastal waterbody with a restricted Time of Year, [see spendix B of the Division of Marine Fisheries (DMF) Technical Report TR 47 "Marine Fisheries ne of Year Restrictions (TOYs) for Coastal Alteration Projects" dated April 2011 ps://www.nae.usace.army.mil/Portals/74/docs/regulatory/StateGeneralPermits/MA/TR-47.pdf].
	Obtain a DMF written determination stating:
	☐ The proposed work does NOT require a TOY restriction.
	The proposed work requires a TOY restriction. Specific recommended TOY restriction and recommended conditions on the proposed work is attached.
	If the project may affect a diadromous fish run [re: Division of Marine Fisheries (DMF) chnical Reports TR 15 through 18, dated 2004: <a href="https://www.mass.gov/service-details/marine-heries-technical-reports">https://www.mass.gov/service-details/marine-heries-technical-reports</a> ]
	☐ Obtain a DMF written determination stating:
	<ul> <li>The design specifications and operational plan for the project are compatible with the passage requirements of the fish run.</li> <li>The design specifications and operational plan for the project are not compatible with the passage requirements of the fish run.</li> </ul>



## WPA Form 3 – Notice of Intent Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Required Actions (310 CMR 10.11) (cont.)

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
Arlington
City/Town

Send the rea	uest for a	written o	r electron	ic detern	nination	to:

South Shore – Cohasset to Rhode Island border, and the Cape & Islands:	North Shore – Hull to New Hampshire border:
Division of Marine Fisheries –	Division of Marine Fisheries –
South Coast Field Station	North Shore Field Station
Attn: Environmental Reviewer	Attn: Environmental Reviewer
836 South Rodney French Blvd.	30 Emerson Avenue
New Bedford, MA 02744	Gloucester, MA 01930
Email: <u>DMF.EnvReview-South@state.ma.us</u>	Email: <u>DMF.EnvReview-North@state.ma.us</u>
Division of Fisheries and Wildlife – https://www	.mass.gov/orgs/division-of-fisheries-and-wildlife
stream and the in-water work will not occur be	ivision of Fisheries and Wildlife (DFW) as to whether
☐ The proposed work does NOT require	e a TOY restriction.
The proposed work requires a TOY re restriction and other conditions is atta	estriction. The DFW determination with TOY ched.
MassDEP Water Quality Certification	
	or more in a Resource Area or dredging of any DRW). A copy and proof of the MassDEP Water 0 is attached to the NOI.
☐ This project is a Combined Permit Application	for 401 Dredging and Restoration (BRP WW 26).
MassDEP Wetlands Restriction Order	
Is any portion of the site subject to a Wetlands Re Act (M.G.L. c. 131, § 40A) or the Coastal Wetland	estriction Order under the Inland Wetlands Restriction ls Restriction Act (M.G.L. c. 130, § 105)?
☐ Yes ☐ No	
Department of Conservation and Recreation	
Office of Dam Safety	
and Recreation Office of Dam Safety that the under 302 CMR 10.00, a written determination	etermination from the Department of Conservation dam is not subject to the jurisdiction of the Office in that the dam removal does not require a permit the dam removal in accordance with 302 CMR



WP	A Form 3 – Notice of Inter	nt	Document Transaction Number
	endix A: Ecological Restoratect Checklists	tion Limited	Arlington City/Town
•	achusetts Wetlands Protection Act M.G.L	c. 131, §40	Gity/Towii
Requ	uired Actions (310 CMR 10.11) (co	ont.)	
Ar	eas of Critical Environmental Concern (ACEC	s)	
ls a	any portion of the proposed project within an Are	a of Critical Environm	ental Concern (ACEC)?
	Yes No If yes, provide name of A MassDEP Website for A		s to WPA Form 3 or
Nar	ne of ACEC		
Minii	mum Required Documents (310 C	MR 10.12)	
Notice ⊠ Th	ete the Required Documents Checklist below and of Intent Application for an Ecological Restoratio is Notice of Intent meets all applicable requireme 310 CMR 10.12. Use the checklist below to ensu	n Project. Ints outlined in for Eco	ological Restoration Projects
At	a minimum, a Notice of Intent for an Ecological F	Restoration Project sha	all include the following:
$\boxtimes$	Description of the project's ecological restoration	n goals;	
$\boxtimes$	The location of the Ecological Restoration Project	ect;	
	Description of the construction sequence for co	mpleting the project;	
pei	map of the Areas Subject to Protection Under M. rmanently altered by the project or include habita d Statewide Importance, eel grass beds, or Shell	t for Rare Species, H	
Fo	e method for BVW and other resource area boun rm(s), Determination of Applicability, Order of Re cumentation methodology.		
	List the titles and dates for all plans and other n	naterials submitted wi	th this NOI.
	a. Plan Title		
	b. Prepared by	c. Signed and Stamped	by
	d. Final Revision Date	e. Scale	
	f. Additional Plan or Document Title		g. Date
	If there is more than one property owner, attach form.	a list of these proper	· ·
$\square$	Attach NOI Wetland Fee Transmittal Form		

Provided by MassDEP:

MassDEP File Number



#### Massachusetts Department of Environmental Protection Bure

# Pro

Mass

#### Min

A plan for invasive species prevention and control;

310 CMR 10.11(2), if needed;

function as designed:

10.05(6)(k)-(q) is attached.

314 CMR 9.00;

needed;

reau of Resource Protection - vvetlands	MassDEP File Number
PA Form 3 – Notice of Intent	Document Transaction Number
ppendix A: Ecological Restoration Limited	A 11
oject Checklists	Arlington City/Town
ssachusetts Wetlands Protection Act M.G.L. c. 131, §40	City/Town
nimum Required Documents (310 CMR 10.12)	
An evaluation of any flood impacts that may affect the built environm limitation, buildings, wells, septic systems, roads or other man-made well as any proposed flood impact mitigation measures:	

The Natural Heritage and Endangered Species Program written determination in accordance with

Fisheries or the Division of Fisheries and Wildlife in accordance with 310 CMR 10.11(3), (4), (5), if

Any Time of Year restrictions and/or other conditions recommended by the Division of Marine

Provided by MassDEP:



## WPA Form 3 – Notice of Intent Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Pro	ovided by MassDEP:
	MassDEP File Number
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	Arlington

City/Town

# Certification that the Ecological Restoration Project Meets the Eligibility Criteria

I hereby certify under penalties of perjury that the Ecological Restoration Project Notice of Intent application does not meet the Eligibility criteria for an Ecological Restoration Order of Conditions set forth in 310 CMR 10.13, but does meet the Eligibility Criteria for a Ecological Restoration Limited Project set forth in 10.24(8) or 10.53(4) whichever is applicable. I certify that I am familiar with the information contained in the application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities.

	•
Signature of Applicant or Authorized Agent	
David Morson	8/31/2022
Printed Name of Applicact or Authorized Agent	Date

The certification must be signed by the applicant; however, it may be signed by a duly authorized agent (named in Item 2) if this form is accompanied by a statement by the applicant designating the agent and agreeing to furnish upon request, supplemental information in support of the application.

#### Legal Notice Charge Authorization

DATE: August 31, 2022

TO: legals@wickedlocal.com

I hereby authorize Community Newspapers to bill me directly for the legal notice to be published in the Arlington Advocate newspaper on September 8, 2022 for a public hearing with the Arlington

 $\label{lem:conservation} \textbf{Conservation Commission to review a project at the following location: Spy Pond.}$ 

Thank you.

Signed: Narmu William

Send bill to:

Attn: Naomi Valentine

**SWCA Environmental Consultants** 

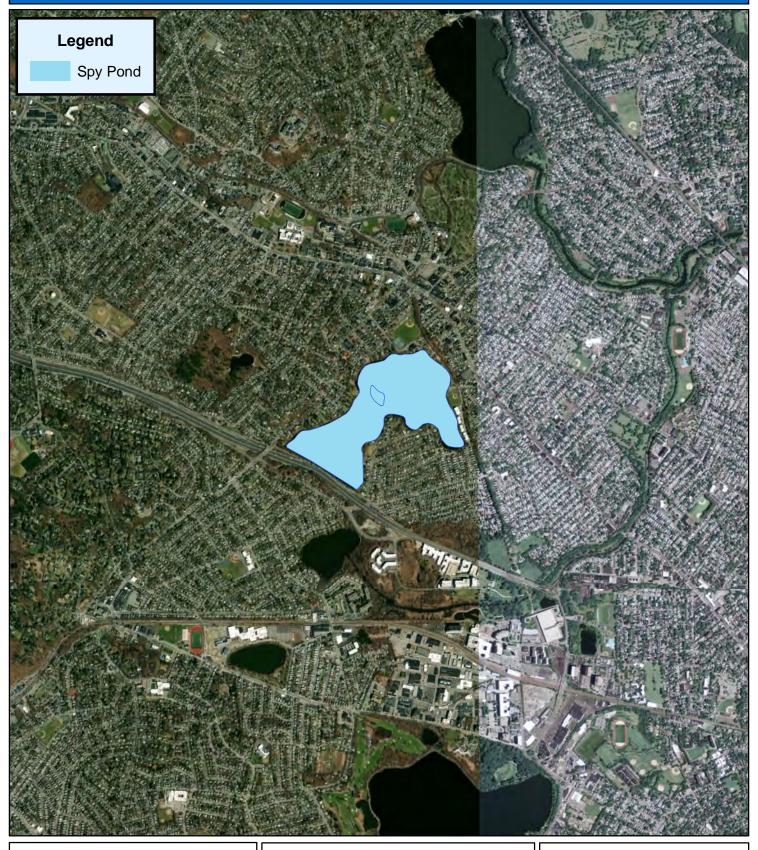
15 Research Drive

Amherst, MA 01002

Phone: 413-658-2012

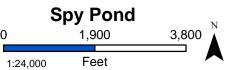
#### **APPENDIX B**

Figures





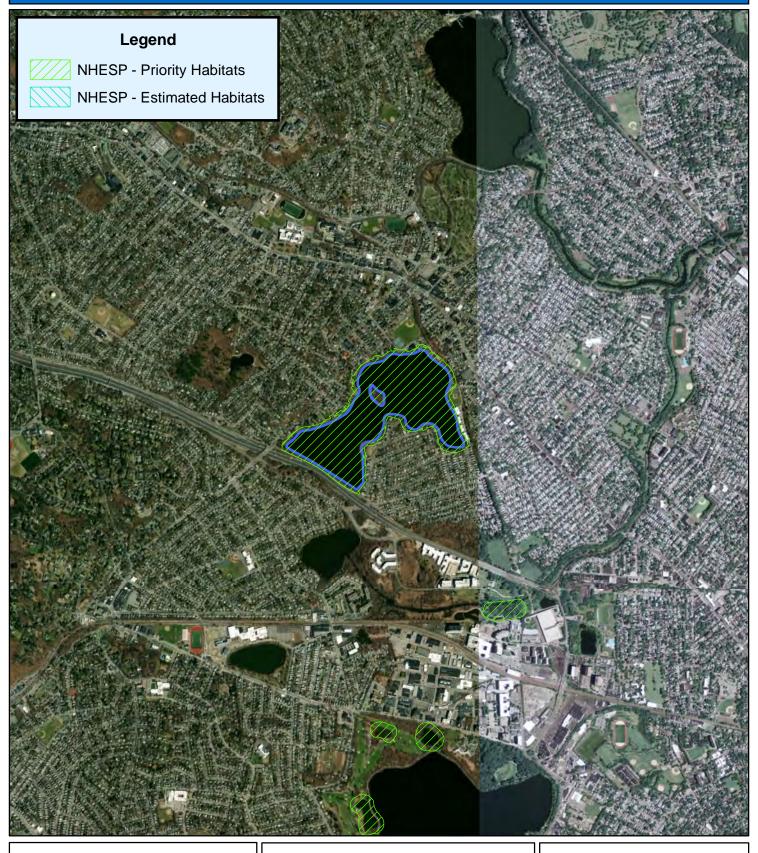




Map Date: 12/2/2020 Prepared by: ALM Office. SHREWSBURY, MA

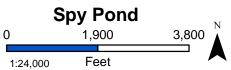
# FIGURE 2: Natural Heritage and Endangered Species Program





**Spy Pond** Arlington, MA



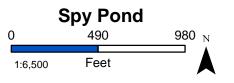


Map Date: 12/2/2020 Prepared by: ALM Office: SHRE WSBURY, MA









Map Date: 08/07/2017 Prepared by: ALM Office: SHREWSBURY, MA

### **APPENDIX C**

Site Photographs



**Photo #1**: Example of fully vegetated bank of Spy Pond. The bank consists of mature deciduous trees and an understory of shrubs. All work is proposed within the pond water directly targeting specific invasive and nuisance vegetation. Bank or vegetation on/ along the bank will not be adversely impacted from the proposed work.



**Photo #2:** View of developed and built-up section of bank of Spy Pond. Residential property abuts the northern and southern sides of Spy Pond.



**Photo** #3: View of overgrowth of blue green algae within Spy Pond. The overgrowth reduce the penetration of light through the water surface and reduces dissolved oxygen levels within the water.





**Photos #4:** View of a sample of vegetation observed during the June 2022 Survey of Spy Pond. Vegetation observed include curly-leaf pondweed and stonewort (structural algae).

#### **APPENDIX D**

**NHESP Decision Letter** 



## DIVISION OF FISHERIES & WILDLIFE

1 Rabbit Hill Road, Westborough, MA 01581 p: (508) 389-6300 | f: (508) 389-7890

MASS.GOV/MASSWILDLIFE

June 23, 2021

Arlington Conservation Commission ATTN: Emily Sullivan 730 Mass Ave, Town Offices Arlington, MA 02476

RE: Applicant: Arlington Conservation Commission

Project Location: Spy Pond

Project Description: Proposed herbicide application using Reward/Tribune (diquat), ProcellaCOR

EC (florpyrauxifen-benzyl), Sonar (fluridone), AquaPro (glyphosate), and Clearcast (imazamox) to control growth of nuisance plants, as well as copper-based algaecides (i.e. CUSO4, Captain, SeClear) and buffered alum to control phosphorus and algal blooms. Physical management techniques such as hand-harvesting, and diver-assisted suction harvesting (DASH) are requested as a non-chemical management technique to manage small

areas of invasive species (when applicable).

MA DEP File No: 091-0330 **NHESP Tracking No.: 08-24360** 

#### Dear Commissioners:

The Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife (the "Division") received a Notice of Intent with project description (Attachment B) in compliance with the rare wildlife species section of the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.59). The Applicant has also sought approval for work pursuant to the MA Endangered Species Act (M.G.L. c.131A) and its implementing regulations (321 CMR 10.00).

Based on a review of the information provided and the information currently contained in our database, the proposed application of herbicide occurs within mapped *Priority Habitat* for the Engelman's Flatsedge (*Cyperus engelmanii*) a Threatened plant species. State-listed species and their habitats are protected in accordance with the MESA. Fact sheets for state-listed species can be found on our website, www.mass.gov/nhesp.

The Notice of Intent states that the project is intended to implement a plant management program to control submersed, non-native aquatic plant species, most notably Curly-leaf Pondweed (*Potamogeton crispus*), spiny naiad (*Najas minor*), and undesirable algae species. The project also stated the potential for targeting Eurasian Watermilfoil (*Myriophyllum spicatum*) which has been present in the past. The stated purpose of the project is to improve and maintain open water habitat, promote the growth of less pervasive plant species, and provide safe recreational access to the pond through an integrated management program. The Distribution of Spiny Naiad and Curly-leaf Pondweed are shown in Figure 3. Neither Eurasian watermilfoils nor curly-leaf pondweed are noted as being present in the ponds.

The purpose of the Division's review of the proposed project under the WPA regulations is to determine whether the project will have any adverse effects on the Resource Areas Habitats of state-listed species. The

purpose of the Division's review under the MESA regulations is to determine whether a Take of state-listed species will result from the proposed project.

#### WETLANDS PROTECTION ACT (WPA)

Based on a review of the information that was provided and the information that is currently contained in our database, the Division has determined that this project, as currently proposed, **will not adversely affect** the actual Resource Area Habitat of state-protected rare wildlife species. Therefore, it is our opinion that this project meets the state-listed species performance standard for the issuance of an Order of Conditions.

This determination addresses only the matter of **rare** wildlife habitat and does not pertain to other wildlife habitat issues that may be pertinent to the proposed project.

#### Special Notes:

- No details were provided about the use of alum. Therefore, at this time, the Division is unable to
  provide the Commission with suggested conditions that would be protective of the Fisheries Interest
  of the Wetland Protection Act. Alum applications can result in stress and fish kills. We would
  recommend that the Commission require the Applicant to seek the Division's recommended
  conditions on any use of Alum.
- Spiny-Leaf Naiad (*Nijas minor*). The Division has no records of this plant outside of Berkshire County. Prior to any treatment targeting this plant, we recommend that the Commission require the Applicant to have the identification of this plant confirmed by a qualified botanist to ensure proposed treatments targeting this plant are appropriate.

#### **MA ENDANGERED SPECIES ACT (MESA)**

#### A. Additional Information Required: Applications of Imazamox, Diquat, and Glyphosate to Water; Alum

This letter is to inform you that the Division has reviewed the materials submitted with your application and has <u>determined that additional information is required</u> in order for the Division to complete its review <u>pursuant to 321 CMR 10.18 (MESA) and 310 CMR 10.59 (WPA)</u>. Based on publicly available data, these products are labelled to have direct action on *Cyperus* or other sedge species. To continue our review of the proposed use of these products, the Applicant shall submit:

- 1) Submit an Analysis of Impact to Engleman's Flatsedge. An analysis of each Imazamox, Diquat, and Glyphosate and its specific formulation on sedges, relevant to Engelman's Flatsedge. The analysis must include summarization of data available on species related to the state-listed species and address the specific amount, form and brand of products proposed for use in this application as compared to the literature sources.
- 2) Submit a Plan to Avoid Impacts. The Applicant may alternatively propose a plan to avoid impacts by application of these products when water elevations are either above, or 6" below, the habitat of the Engleman's Flatsedge. During the Division's review of the park improvements on the Pond, the City identified and marked water elevations in the pond associated with the Flatsedge that may be relevant. Alternatively, the City can propose a method to collect and mark water elevations. The upper elevation is roughly that of the shrubby border. The lower water elevation of the extent of habitat likely can only be documented during drawdown conditions.

3) **Alum.** A proposed Alum plan must be submitted including all existing and proposed conditions with calculations submitted in support of both the treatment and buffering plan. The plan must describe monitoring during and after the alum to ensure pH levels remain with the proposed target range. Plans must include the location and acres of treatment, proposed treatment target (mg/L), existing pH, buffering treatment plan (amounts, frequency of monitoring) and monitoring plan.

After receiving the above requested information, the Division will continue its review of this aspect of the proposed project for compliance with the MESA regulations. The Division reserves the right to request additional information to understand the potential impacts of the proposed project on state-listed species and their habitats. No use of the products specified above may be utilized in the Pond until the Division completes its review.

B. <u>Activities Approved Subject to Conditions</u>: *Foliar* Applications of Imazamox, Diquat, and Glyphosate; ProcellaCOR EC (florpyrauxifen-benzyl), Sonar (fluridone), copper-based algaecides (CUSO4, Captain, SeClear).

Based on the information provided and the information contained in our database, it is the opinion of the Division that a portion of this project, as currently proposed, <u>must be conditioned in order to avoid a prohibited Take of state-listed species (321 CMR 10.18(2)(a))</u>. The project must comply with the following conditions for the herbicide application:

- 4) **Submit an Annual Treatment Plan.** Annually, the Applicant must submit a written, annual treatment plan to the Division for review and written approval at least sixty (60) days prior to any treatment in the same year. The treatment plan shall include, at a minimum, a detailed map of the proposed treatment area and methods, calculated treatment acres by method (e.g., aquatic application, fog, spray, etc.), proposed date(s) of treatment(s), proposed herbicide product names and formulations, active ingredients, active ingredient target concentrations and calculated treatment concentrations. The plan shall also include a map, like Figure 3, showing the areas of proposed application.
- 5) Direct Foliar Applications of Imazamox, Diquat or Glyphosate through painting, hand-wiping, or stem injection. No special conditions are required. Such work may proceed, but with care to avoid trampling the low-lying state-listed plants if work is conducted from land.
- 6) Indirect Foliar Applications of Imazamox, Diquat and Glyphosate ("Indirect Foliar Application") through spraying, fogging, misting, wick applications, or the like. Prior to any Indirect Foliar Application of the three listed active ingredients, a survey must be conducted by a qualified botanist to locate all Engelman's Flatsedge in the proposed treatment area. The qualified botanist shall develop and submit to the Division proposed methods to avoid impacts from the treatments. These may include placing chemical resistant buckets over plants or groups of plants, plastic sheeting or similar methods. The Division must approve the protective measures in writing prior to any use of these products as described herein.
- 7) Non-Aquatic Hand Harvesting. Prior to any Hand Harvesting outside of wetland Resources Areas, a survey must be conducted by a qualified botanist to locate all Engelman's Flatsedge in the proposed treatment area. The qualified botanist shall develop and submit to the Division proposed methods to avoid impacts from hand harvesting.

- 8) **DASH, ProcellaCor, Copper-based Algaecides** No conditions are required. Applications are subject to reporting in the required Annual Treatment Plan required in Condition #4.
- 9) Authorization, 5 years. With a Division-approved annual treatment plan submitted and approved and in compliance with all conditions herein, activities in Section B of this determination may occur for 5 years from the date of this determination. Thereafter, the Applicant must refile with the Division pursuant to the MESA.
- 10) Wetland Protection Act Filings, Notice. When filing for any renewal, extension, or amendment of the WPA Orders of Conditions the Applicant shall contact the Division for written response regarding impacts to Resource Area habitat of state-listed wildlife. A renewal, extension or amendment of Order of Conditions does not renew, extend, or amend this MESA authorization.
- 11) The Division may find that any future proposed management activity individually or in combination will result in a Take and may require a MESA CMP subject to 321 CMR 10.23. Therefore, we recommend that the Applicant contact our office in advance of each annual submission to ensure that proposals are developed to avoid a Take of state-listed species.

Provided the above-noted conditions relevant to MESA Section B are fully implemented and there are no changes to the Project Plans or the specified products, treatment may proceed. This approval for Work explicitly and exclusively applies to the activities and specific products and chemicals described herein. Any changes to the proposed project or any additional work beyond that shown on the Project Plans may require an additional filing with the Division pursuant to the MESA. This project may be subject to further review if no physical work is commenced within five years from the date of issuance of this determination, or if there is a change to the project. No application of the products in MESA Section A to water may be utilized in the Pond until the Division completes its review.

If you have any questions regarding this letter, please contact Misty-Anne Marold, Senior Endangered Species Review Biologist, at <a href="maisty-anne.marold@mass.gov">misty-anne.marold@mass.gov</a> or 508-389-6356.

Sincerely,

Everose Schlüter, Ph.D. Assistant Director

Evage Schlütz

RE: Kara Sliwoski, Solitude Lake Management

MA DEP, Northeast Regional Office-Wetlands and Waterways

Alicia Geilen, MA DEP Circuit Rider, Northeast

Patricia Huckery, District Manager, MA DFW Northeast

#### **APPENDIX E**

List of Abutters

Copy of Abutter Notification Form

Affidavit of Service



#### Office of the Board of Assessors Robbins Memorial Town Hall Arlington, MA 02476 (781) 316-3050 Assessors@town.arlington.ma.us

#### **Abutters List**

Date: August 29, 2022

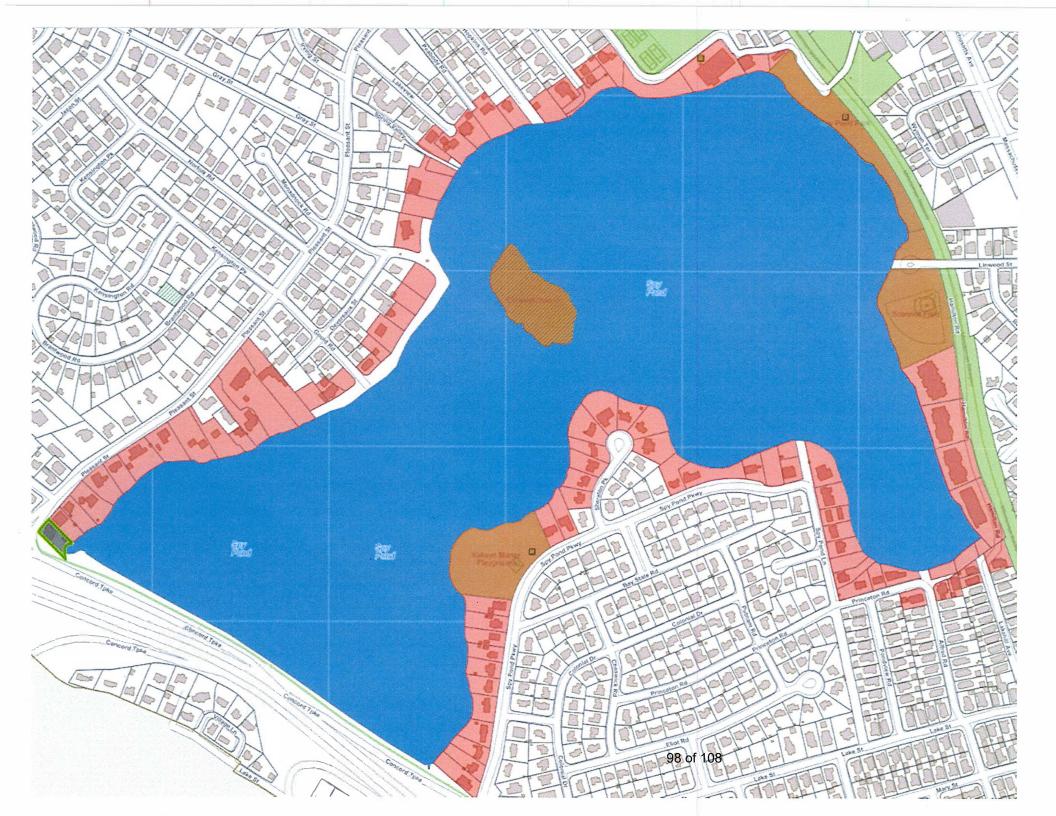
Subject Property: SPY POND, Arlington, MA

Search Distance: 100 Feet - CONSERVATION

The Board of Assessors certifies the names and addresses of requested parties in interest, all abutters to SPY POND within 100 feet.

BOARD OF ASSESSORS TOWN HALL ARLINGTON, MA 02476

**Board of Assessors** 



Date: August 29, 2022

Subject Property Address: SPY POND Arlington, MA

				MALING ADDRESS				
Parcel ID:	Property Location	Owner 1	Owner 2	Mailing Address 1	Mailing Address 2	Town	State	Zip
137-5-1	244 PLEASANT ST	ROSENFIELD BRUCE A/TRUSTEE	BERNARD G & GERALDINE R SEGAL	244 PLEASANT STREET		ARLINGTON	MA	02476
137-5-2	246 PLEASANT ST	EYKAMP WILLIAM & MYRIEL C		246 PLEASANT STREET		ARLINGTON	MA	02476
137-5-3	248 PLEASANT ST	YU ZHENHONG	YU YUE	248 PLEASANT ST		ARLINGTON	MA	02476
137-5-4	252 PLEASANT ST	SCHWEICH PETER		252 PLEASANT STREET		ARLINGTON	MA	02476
137-5-5	256 PLEASANT ST	SMITH MAUREEN P		256 PLEASANT STREET		ARLINGTON	MA	02476
12-1-1	40-42 ALFRED RD	PERO JAMES LETAL	PERO BEVERLY J	43 CANDLEBERRY LANE		HARVARD	MA	01451
12-4-1.A	15 PRINCETON RD	MUSIAL PETER M &	MUSIAL-SIWEK MONIKA	15 PRINCETON RD		ARLINGTON	MA	02474
12-4-2	47 SPY POND LN	CONNOLLY MICHAEL ROBERT		47 SPY POND LN		ARLINGTON	MA	02474
12-4-3	11 PRINCETON RD	FERBER BENJAMIN E &	DONOFRIO AIMEE K	11 PRINCETON ROAD		ARLINGTON	MA	02474
12-4-4	9 PRINCETON RD	CAMERON MELANIE		9 PRINCETON RD		ARLINGTON	MA	02474
121.A-3-10	33 ADDISON ST UNIT 33	MACDONALD KYLE		33 ADDISON ST		ARLINGTON	MA	02476
10.A-5-1	46-48 POND LN UNIT 1	MORRISON LAI-KUEN & DONALD M		46 POND LN UNIT 1		ARLINGTON	MA	02474
10.A-5-2	46-48 POND LN UNIT 2	RUSSELL KAREN J		46 POND LANE UNIT 2		ARLINGTON	MA	02474
18-9-1	42 SPY POND PKWY	GALVIN SEAN D/TRUSTEE	389 MASS AVE REALTY TRUST	630 HIGH STREET		MEDFORD	MA	02155
18-9-2	46 SPY POND PKWY	GALVIN SEAN D & MARIMAR	9	46 SPY POND PKWY		ARLINGTON	MA	02474
18-9-3	38 SPY POND PKWY	HURD JOHN/DALE		38 SPY POND PKWY		ARLINGTON	MA	02474
18-9-4	34 SPY POND PKWY	CELLA JOSEPH A/STEVEN R		34 SPY POND PKWY		ARLINGTON	MA	02474
19-1-1	50 SPY POND PKWY	COOPER MARGO M		50 SPY POND PARKWAY		ARLINGTON	MA	02474
19-1-2	54 SPY POND PKWY	DE VENECIA RONALD K		54 SPY POND PKWY		ARLINGTON	MA	02474
19-1-3	0-LOT SPY POND PKWY	KELWYN MANOR ASSOCIATION IN		23 SHERATON PK		ARLINGTON	MA	02474
19-1-4	74 SPY POND PKWY	BARBER BRADFORD C		74 SPY POND PKWY		ARLINGTON	MA	02474
19-1-5	76 SPY POND PKWY	PRESTON ALAN/LUANA TRUSTEE	76 SPY POND PKWY TRUST	76 SPY POND PKWY		ARLINGTON	MA	02474
19-1-7	6 SHERATON PK	FINGER JONATHAN R &	KYCIA CAROL ANNE	6 SHERATON PK		ARLINGTON	MA	02474
19-1-8	10 SHERATON PK	PETRYSHEN TRACEY		10 SHERATON PK		ARLINGTON	MA	02474
19-1-9	14 SHERATON PK	TRIBE CAROLYN A		5 ASH STREET		CAMBRIDGE	MA	02138
19-1-10.A	18 SHERATON PK	LAKE G F & L C		18 SHERATON PARK		ARLINGTON	MA	02474
19-1-11.A	22 SHERATON PK	PURCELL DANIEL A & ROBIN F		22 SHERATON PARK		ARLINGTON	MA	02474
19-1-12	31 SHERATON PK	SACCO ELAINE M	5	24 SHERATON PK		ARLINGTON	MA	02474
19-1-13	27 SHERATON PK	NOYES ROBERT W-HARRIET T		27 SHERATON PK		ARLINGTON	MA	02474
19-1-14	23 SHERATON PK	MIETTINEN PASI P	GARRETT KATIE	23 SHERATON PARK		ARLINGTON	MA	02474
19-1-15	19 SHERATON PK	MAVALVALA NERGIS	KHAN AIDA	19 SHERATON PARK		ARLINGTON	MA	02474

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	-			MALING ADDRESS				
Parcel ID:	Property Location	Owner 1	Owner 2	Mailing Address 1	Mailing Address 2	Town	State	Zip
19-1-23.A	100 SPY POND PKWY	TIBBETTS ALETTA & RICHARD		100 SPY POND PKWY		ARLINGTON	MA	02474
19-1-24.B	104 SPY POND PKWY	HERMAN BETSY H/ LIFE ESTATE		104 SPY POND PARKWAY		ARLINGTON	MA	02474
121-6-2	0-LOT POND LN	TOWN OF ARLINGTON PARK		730 MASS AVE		ARLINGTON	MA	02476
20-3-1	114 SPY POND PKWY	CAHILL RICHARD		114 SPY POND PKWY		ARLINGTON	MA	02474
20-3-2	0-LOT SPY POND PKWY	BALAZS ANDRE T		135 OLD POST RD		STAATSBURG	NY	12580
20-3-3	122 SPY POND PKWY	FANTASIA SALVATORE/FRANCA		122 SPY POND PKWY		ARLINGTON	MA	02474
20-3-4	0-LOT SPY POND LN	FANTASIA SALVATORE C/FRANCA		122 SPY POND PKWY		ARLINGTON	MA	02474
12-4-2.A	49 SPY POND LN	BLANKESPOOR KEVIN & LISA		49 SPY POND LN		ARLINGTON	MA	02474
20-5-1	71 SPY POND LN	TURANO RONA B		71 SPY POND LANE	j	ARLINGTON	MA	02474
20-5-1.A	65 SPY POND LN	DE LEO JOHN M/TRUSTEE	DELEO FAMILY TRUST	65 SPY POND LANE	Ti T	ARLINGTON	МА	02474
20-5-2	61 SPY POND LN	CHADWICK DANIEL/ETAL	GOLDSTEIN ROBIN E	61 SPY POND LANE		ARLINGTON	MA	02474
20-5-3	57 SPY POND LN	KAPLAN WILLIAM H		57 SPY POND LANE		ARLINGTON	MA	02474
20-5-4	53 SPY POND LN	LOEFFLER EVAN/TRUSTEE	SHAYNA W LOEFFLER IRREVOCABLE	53 SPY POND LANE		ARLINGTON	MA	02474
20.A-1-101	18 HAMILTON RD UNIT 101	HAINES LINDA J/ TRUSTEE	HAINES FAMILY TRUST	18 HAMILTON RD #101		ARLINGTON	MA	02474
20.A-1-102	18 HAMILTON RD UNIT 102	KATES MICHAEL S		21 GREYSTONE CT		BURLINGTON	MA	01803
20.A-1-103	18 HAMILTON RD UNIT 103	BETTENCOURT PAULA/MARIO		43 AMSDEN		ARLINGTON	MA	02474
20.A-1-104	18 HAMILTON RD UNIT 104	MC EWEN KAREN B		18 HAMILTON ROAD #104		ARLINGTON	MA	02474
20.A-1-105	18 HAMILTON RD UNIT 105	BAYSTATE CONDOMINIUMS LLC		956 MASS AVE		LEXINGTON	MA	02420
20.A-1-106	18 HAMILTON RD UNIT 106	SEGRT JANKO ETAL/ TRUSTEE	18 HAMILTON RD UNIT 106 REALTY	115 BACON ST		NATICK	MA	01760
20.A-1-107	18 HAMILTON RD UNIT 107	STALCUP WILLIAM S		18 HAMILTON ROAD #107		ARLINGTON	MA	02474
20.A-1-108	18 HAMILTON RD UNIT 108	BASSALEH JOSEPH &	DECARLO MADELEINE	18 HAMILTON RD #108		ARLINGTON	MA	02474
20.A-1-201	18 HAMILTON RD UNIT 201	POLLINA VINCENT J		18 HAMILTON ROAD #201		ARLINGTON	MA	02474
20.A-1-202	18 HAMILTON RD UNIT 202	CADWGAN JOHONNA L		18 HAMILTON RD #202		ARLINGTON	MA	02474
20.A-1-203	18 HAMILTON RD UNIT 203	ESTEVES ISIS E		12 CONIFER LN		AMHERST	NH	03031
20.A-1-204	18 HAMILTON RD UNIT 204	HARRIS ELWYN EVERETT		18 HAMILTON ROAD #204		ARLINGTON	MA	02474
20.A-1-205	18 HAMILTON RD UNIT 205	POOR RIVA/ TRUSTEE	RIVA POOR 2016 TRUST	73 KIRKLAND ST		CAMBRIDGE	MA	02138
20.A-1-206	18 HAMILTON RD UNIT 206	STRICKLAND BARBARA B		18 HAMILTON RD UNIT 206		ARLINGTON	MA	02474
20.A-1-207	18 HAMILTON RD UNIT 207	MAHER JAMES M/ TRUSTEE	18 HAMILTON REALTY TRUST	966 BROADWAY		SOMERVILLE	MA	02144
20.A-1-208	18 HAMILTON RD UNIT 208	ALBERT ALEXANDER C		18 HAMILTON RD #208		ARLINGTON	MA	02474
20.A-1-301	18 HAMILTON RD UNIT 301	KALBER VIVIAN A/TRUSTEE	VIVIAN A KALBER REVOCABLE TR	18 HAMILTON ROAD #301		ARLINGTON	МА	02474
20.A-1-302	18 HAMILTON RD UNIT 302	ESPOSITO PAUL		776 MAIN STREET		WAKEFIELD	MA	01880

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Parcel ID:	Property Location	Owner 1	Owner 2	Mailing Address 1	Mailing Address 2	Town	State	Zip
20.A-1-303	18 HAMILTON RD UNIT 303	CROMER MACEDO LLC		15 VIRGINIA ST		SOMERVILLE	MA	02145
20.A-1-304	18 HAMILTON RD UNIT 304	ONEIL NANCY		18 HAMILTON ROAD #304		ARLINGTON	MA	02474
20.A-1-305	18 HAMILTON RD UNIT 305	OWEN ELIZABETH M		18 HAMILTON RD #305	1	ARLINGTON	MA	02474
20.A-1-306	18 HAMILTON RD UNIT 306	TORRESYAP GAY		18 HAMILTON RD UNIT 306		ARLINGTON	MA	02474
20.A-1-307	18 HAMILTON RD UNIT 307	DOUGAN BARBARA J/ LIFE ESTATE		18 HAMILTON ROAD	UNIT 307	ARLINGTON	MA	02474
20.A-1-308	18 HAMILTON RD UNIT 308	CLARK LINDA M/ TRUSTEE	LINDA M CLARK REALTY TRUST	18 HAMILTON RD #308		ARLINGTON	MA	02474
20.A-1-401	18 HAMILTON RD UNIT 401	FINELLI ALYCE		177 PEMBERTON ST UNIT 14		CAMBRIDGE	MA	02140
20.A-1-402	18 HAMILTON RD UNIT 402	LIU YANG	MIN YAO	26 LEDGELAWN AVE		LEXINGTON	MA	02420
20.A-1-403	18 HAMILTON RD UNIT 403	MEADOWS JULIE A		18 HAMILTON ROAD #403		ARLINGTON	MA	02474
20.A-1-404	18 HAMILTON RD UNIT 404	KOLEV VIHREN N	KOLEVA ROSITSA	17 REED ST #1		ARLINGTON	MA	02474
20.A-1-405	18 HAMILTON RD UNIT 405	KWAK MICHELLE C		511 TUMBLING HAWK		ACTON	MA	01718
20.A-1-406	18 HAMILTON RD UNIT 406	MURPHY KATHERINE	HERBERT PATRICIA	18 HAMILTON RD #406		ARLINGTON	MA	02474
20.A-1-407	18 HAMILTON RD UNIT 407	WALSH LAUREN/ TRUSTEE	SPY POND CONDO TRUST	144 WHITE ST		BELMONT	MA	02478
20.A-1-408	18 HAMILTON RD UNIT 408	GOODMAN THEODORE & CHIKAKO/ TRS	CHIKAKO GOODMAN REVOCABLE TR	18 HAMILTON RD UNIT 408		ARLINGTON	MA	02474
20.A-1-501	18 HAMILTON RD UNIT 501	MOREIRA JOSEPH		18 HAMILTON ROAD #501		ARLINGTON	MA	02474
20.A-1-502	18 HAMILTON RD UNIT 502	KLEIN MARA L		18 HAMILTON ROAD #502		ARLINGTON	MA	02474
20.A-1-503	18 HAMILTON RD UNIT 503	CHAKRAVORTY RUDRA/ TRS	RUDRA CHAKRAVORTY REVOCABLE	70 STILLWATER DR		NASHUA	NH	03062
20.A-1-504	18 HAMILTON RD UNIT 504	COTRONEO VINCENZO		PMB 8047	1321 UPLAND DR	HOUSTON	тх	77043
20.A-1-505	18 HAMILTON RD UNIT 505	GOYAL KAPISH		858 POINT WAY		VA BEACH	VA	23462
20.A-1-506	18 HAMILTON RD UNIT 506	TOPLIN HOLDEN &	YANG ZHENYAN	18 HAMILTON ROAD #506		ARLINGTON	MA	02474
20.A-1-507	18 HAMILTON RD UNIT 507	POST ARJAN		18 HAMILTON ROAD #507		ARLINGTON	MA	02474
20.A-1-508	18 HAMILTON RD UNIT 508	OHN KIMBERLY		18 HAMILTON RD	UNIT 508	ARLINGTON	MA	02474
20.A-2-101	20 HAMILTON RD UNIT 101	PATEY SARA		8 PARKER RD		SHIRLEY	MA	01464
20.A-2-102	20 HAMILTON RD UNIT 102	SULLIVAN DIANE M		20 HAMILTON RD #102		ARLINGTON	MA	02474
20.A-2-103	20 HAMILTON RD UNIT 103	BETTENCOURT MARIO SETAL	BETTENCOURT PAULA M	43 AMSDEN STREET		ARLINGTON	MA	02474
20.A-2-104	20 HAMILTON RD UNIT 104	CARROLL THOMAS J JR/ TRUSTEE	MOCCIA IRREVOCABLE TRUST	132 ROBBINS RD		ARLINGTON	MA	02476
20.A-2-105	22 HAMILTON RD UNIT 105	SEGRT JANKO ETAL/ TRUSTEE	22 HAMILTON RD UNIT 105 REALTY	115 BACON ST		NATICK	MA	01760
20.A-2-106	22 HAMILTON RD UNIT 106	ZHAO LIJIAN	KANTOR MARK	75 BEVERLY RD		ARLINGTON	MA	02474
20.A-2-107	22 HAMILTON RD UNIT 107	MARGOLIN BARRY W		22 HAMILTON ROAD #107		ARLINGTON	MA	02474
20.A-2-108	22 HAMILTON RD UNIT 108	FUCHS DEBORAH		PO BOX 23		PETERSHAM	MA	01366

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Parcel ID:	Property Location	Owner 1	Owner 2	Mailing Address 1	Mailing Address 2	Town	State	Zip
20.A-2-201	20 HAMILTON RD UNIT 201	O'CONNOR GREGORY/ TRUSTEE	WILLIAM J O'CONNOR 2021 TRUST	6 MAGNOLIA RD		NATICK	MA	01760
20.A-2-202	20 HAMILTON RD UNIT 202	OBRIEN HAYLEY E		20 HAMILTON ROAD #202		ARLINGTON	MA	02474
20.A-2-203	20 HAMILTON RD UNIT 203	SULLIVAN DIANE M	KNOTT FRANCES K	20 HAMILTON RD UNIT 102		ARLINGTON	MA	02474
20.A-2-204	20 HAMILTON RD UNIT 204	MATHIASEN KAREN		20 HAMILTON ROAD #204		ARLINGTON	MA	02474
20.A-2-205	22 HAMILTON RD UNIT 205	HALLIDAY MARK		54 BRANTWOOD RD		ARLINGTON	MA	02476
20.A-2-206	22 HAMILTON RD UNIT 206	TINCH PETER M		22 HAMILTON ROAD #206		ARLINGTON	MA	02474
20.A-2-207	22 HAMILTON RD UNIT 207	GARDNER P J		22 HAMILTON ROAD #207		ARLINGTON	MA	02474
20.A-2-208	22 HAMILTON RD UNIT 208	CARROLL THOMAS J/CORINNE K		132 ROBBINS RD		ARLINGTON	MA	02476
20.A-2-301	20 HAMILTON RD UNIT 301	RANDOLPH ANNE		20 HAMILTON ROAD #301		ARLINGTON	MA	02474
20.A-2-302	20 HAMILTON RD UNIT 302	BODNYA RAISA/LEONID/TRS	BODNYA TRUST	20 HAMILTON ROAD #302		ARLINGTON	MA	02474
20.A-2-303	20 HAMILTON RD UNIT 303	ROCKLAND TRUST COMPANY/ TRS	ROCHELLE ANDREA WOLFE TRUST	2036 WASHINGTON ST		HANOVER	MA	02339
20.A-2-304	20 HAMILTON RD UNIT 304	BROWN GERDA		20 HAMILTON ROAD #304		ARLINGTON	MA	02474
20.A-2-305	22 HAMILTON RD UNIT 305	JACOBSON ALAN J		225 COOLIDGE AVE #106		WATERTOWN	MA	02472
20.A-2-306	22 HAMILTON RD UNIT 306	SULLIVAN MARY F	C/O CONLIN	7 DEXTER ROAD		WELLESLEY	MA	02482
20.A-2-307	22 HAMILTON RD UNIT 307	FAIOLA CAROL		22 HAMILTON ROAD #307		ARLINGTON	MA	02474
20.A-2-308	22 HAMILTON RD UNIT 308	GILMAN LISA R		22 HAMILTON ROAD #308		ARLINGTON	MA	02474
20.A-2-401	20 HAMILTON RD UNIT 401	FRASER ELIZABETH G		20 HAMILTON RD #401		ARLINGTON	MA	02474
20.A-2-402	22 HAMILTON RD UNIT 402	LIEM SIOE L		22 HAMILTON ROAD #402		ARLINGTON	MA	02474
20.A-3-101	30 HAMILTON RD UNIT 101	FOLEY DENNIS P		30 HAMILTON RD #101		ARLINGTON	MA	02474
20.A-3-102	30 HAMILTON RD UNIT 102	LEUNG EILEEN	DO HIEN VAN	32 PILGRAM RD		BELMONT	MA	02478
20.A-3-103	30 HAMILTON RD UNIT 103	YOU GO GIRL! LLC		38 BOWDOIN ST		CAMBRIDGE	MA	02138
20.A-3-104	30 HAMILTON RD UNIT 104	BRASGO LLC		17 BURROUGHS RD		LEXINGTON	MA	02420
20.A-3-105	32 HAMILTON RD UNIT 105	OLES THERESA J		32 HAMILTON RD UNIT 105		ARLINGTON	MA	02474
20.A-3-106	32 HAMILTON RD UNIT 106	FLETCHER WILLIAM B		32 HAMILTON ROAD #106		ARLINGTON	MA	02474
20.A-3-107	32 HAMILTON RD UNIT 107	CUMMINS JOHN J JR & STACIA J/	TRS/SUSAN J CUMMINS FAMILY	14 RADCLIFFE RD		ARLINGTON	MA	02474
20.A-3-108	32 HAMILTON RD UNIT 108	MASON REBECCA		32 HAMILTON RD UNIT 108		ARLINGTON	MA	02474
20.A-3-201	30 HAMILTON RD UNIT 201	TSERING LHAMO		4 BRIDLE PATH		SUDBURY	MA	01776
20.A-3-202	30 HAMILTON RD UNIT 202	LOUNKINE EUGEN &	WANG YUAN	30 HAMILTON RD UNIT 202		ARLINGTON	MA	02474
20.A-3-203	30 HAMILTON RD UNIT 203	O'DONNELL AGNES E & NICHOLAS	TRS/ AGNES E O`DONNELL 2017	30 HAMILTON RD #203		ARLINGTON	MA	02474
20.A-3-204	30 HAMILTON RD UNIT 204	MC CORMICK GAIL T/TRUSTEE	GAIL MC CORMICK TRUST	30 HAMILTON RD UNIT 204		ARLINGTON	MA	02474
20.A-3-205	32 HAMILTON RD UNIT 205	DE LEO JOSEPH F &	MANCA MARYBETH	188 DALTON RD		BELMONT	MA	02478

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Parcel ID:	Property Location	Owner 1	Owner 2	Mailing Address 1	Mailing Address 2	Town	State	Zip
20.A-3-206	32 HAMILTON RD UNIT 206	SELANDER NANCY		32 HAMILTON RD #206		ARLINGTON	MA	02474
20.A-3-207	32 HAMILTON RD UNIT 207	SCHLEGEL FABRICE		8 WEBSTER ST		WINCHESTER	MA	01890
20.A-3-208	32 HAMILTON RD UNIT 208	SNOW JEANNE J/TRUSTEE	JEANNE SNOW 2005 TRUST	32 HAMILTON ROAD #208		ARLINGTON	MA	02474
20.A-3-301	30 HAMILTON RD UNIT 301	CASO MICHAEL A		30 HAMILTON ROAD #301		ARLINGTON	MA	02474
20.A-3-302	30 HAMILTON RD UNIT 302	CONSTABLE ROBERT		343 CODDINGTON RD		ITHACA	NY	14850
20.A-3-303	30 HAMILTON RD UNIT 303	LISCO THOMAS E		30 HAMILTON ROAD #303		ARLINGTON	MA	02474
20.A-3-304	30 HAMILTON RD UNIT 304	SCRIBNER FRED C III		PO BOX 31		PORTLAND	ME	04112
20.A-3-305	32 HAMILTON RD UNIT 305	ABBOTT MARK F		32 HAMILTON RD #305		ARLINGTON	MA	02476
20.A-3-306	32 HAMILTON RD UNIT 306	BARES CHRISTOPHER		32 HAMILTON ROAD #306		ARLINGTON	MA	02474
20.A-3-307	32 HAMILTON RD UNIT 307	CATALDO LILLIAN	M/T CATALDO HENRY J	15R CHANDLER ST		SOMERVILLE	MA	02144
20.A-3-308	32 HAMILTON RD UNIT 308	DIESING LOIS R / ETAL / TRS	LOIS R DIESING TRUST	32 HAMILTON ROAD #308		ARLINGTON	MA	02474
20.A-3-401	30 HAMILTON RD UNIT 401	TASHIRO MASAKAZU & YASUHISA		PO BOX 410042		EAST CAMBRIDGE	MA	02141
20.A-3-402	32 HAMILTON RD UNIT 402	GROSSMAN KAREN L		32 HAMILTON ROAD #402		ARLINGTON	MA	02474
20.A-4-101	34 HAMILTON RD UNIT 101	VANDIVIER LEE ELLIOT	HSIAO MINGHUA	34 HAMILTON RD #101		ARLINGTON	MA	02474
20.A-4-102	34 HAMILTON RD UNIT 102	BETTS ALLISON		5701 AVENIDA CHIQUITA NW		ALBUQUERQUE	NM	87120
20.A-4-103	34 HAMILTON RD UNIT 103	CONROY KRISTINA M		34 HAMILTON ROAD UNIT 103		ARLINGTON	MA	02474
20.A-4-104	34 HAMILTON RD UNIT 104	CHIVUKULA RAMAKRISHNA	MALLAPRAGADA SOUJANYA G	21 BISHOP RD		SHARON	MA	02067
20.A-4-105	34 HAMILTON RD UNIT 105	BRAIDA LOUIS D	ļ.	34 HAMILTON ROAD #105		ARLINGTON	MA	02474
20.A-4-106	34 HAMILTON RD UNIT 106	ALEXANDER ROBERT BRUCE	HUANG ADRIAN	53 PAUL REVERE RD		LEXINGTON	MA	02421
20.A-4-107	34 HAMILTON RD UNIT 107	BRAIDA LOUIS D		34 HAMILTON ROAD	UNIT 105	ARLINGTON	MA	02474
20.A-4-108	34 HAMILTON RD UNIT 108	HUANG ADRIAN	ALEXANDER ROBERT BRUCE	53 PAUL REVERE RD		LEXINGTON	MA	02421
20.A-4-109	34 HAMILTON RD UNIT 109	BETTENCOURT MARIO & PAULA		43 AMSDEN STREET		ARLINGTON	MA	02474
20.A-4-110	34 HAMILTON RD UNIT 110	MAULIK DAVESH		17 GARFIELD RD		BELMONT	MA	02478
20.A-4-201	34 HAMILTON RD UNIT 201	FENNER MARGARET L		34 HAMILTON ROAD #201		ARLINGTON	MA	02474
20.A-4-202	34 HAMILTON RD UNIT 202	SULLIVAN BRENDAN		319 LAKE STREET		ARLINGTON	MA	02476
20.A-4-203	34 HAMILTON RD UNIT 203	KANDILIAN FAGHARCH		27 ESTABROOK RD		LEXINGTON	MA	02421
20.A-4-204	34 HAMILTON RD UNIT 204	MUJAGIC NADIJA		6 HEATHER HILL RD		ACTON	MA	01720
20.A-4-205	34 HAMILTON RD UNIT 205	COLEMAN DIANA T		1 RICHDALE AVE UNIT 12		CAMBRIDGE	MA	02140
20.A-4-206	34 HAMILTON RD UNIT 206	YANG XIAOQING	WU YECHENG	5 APPLETREE LN		LEXINGTON	MA	02420
20.A-4-207	34 HAMILTON RD UNIT 207	COLEMAN DIANA T		1 RICHDALE AVE UNIT 12		CAMBRIDGE	MA	02140
20.A-4-208	34 HAMILTON RD UNIT 208	WANG SEN &	XU HONGQIANG	34 HAMILTON RD #208		ARLINGTON	MA	02474

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Parcel ID:	Property Location	Owner 1	Owner 2	Mailing Address 1	Mailing Address 2	Town	State	Zip
20.A-4-209	34 HAMILTON RD UNIT 209	FRASER MARGARET L		34 HAMILTON RD UNIT 209		ARLINGTON	MA	02474
20.A-4-210	34 HAMILTON RD UNIT 210	SUBRAMANIAN BALACHUNDHAR	SACHITHANANDHAM KALPANA	34 HAMILTON RD # 210		ARLINGTON	MA	02474
20.A-4-301	34 HAMILTON RD UNIT 301	JOLKOVSKI ROBERT M		34 HAMILTON ROAD #301		ARLINGTON	MA	02474
20.A-4-302	34 HAMILTON RD UNIT 302	YANUSHPOLSKY MIRAM FEIGA &	JOSEPH & SHAUMYAN GALINA/TR	34 HAMILTON ROAD #302		ARLINGTON	MA	02474
20.A-4-303	34 HAMILTON RD UNIT 303	NAGAYAMA KEIKO		34 HAMILTON RD #303		ARLINGTON	MA	02474
20.A-4-304	34 HAMILTON RD UNIT 304	POURALI SHAHRAM		34 HAMILTON ROAD #304		ARLINGTON	MA	02474
20.A-4-305	34 HAMILTON RD UNIT 305	MITCHELL A. KATALIN		169 CENTRAL ST		FRAMINGHAM	MA	01701
20.A-4-306	34 HAMILTON RD UNIT 306	BRETON JOSEPH F & JOAN M		24 MIDLAND DRIVE		WALTHAM	MA	02451
20.A-4-307	34 HAMILTON RD UNIT 307	MOLINA LIZA	PHILLIPS THOMAS	34 HAMILTON RD # 307		ARLINGTON	MA	02474
20.A <b>-</b> 4-308	34 HAMILTON RD UNIT 308	BYRON PAMELA D		34 HAMILTON ROAD #308		ARLINGTON	MA	02474
20.A-4-309	34 HAMILTON RD UNIT 309	ALEXIOU ALICE SPARBERG	ALEXIOU NICHOLAS D	140 WEST END AVE APT 20C		NEW YORK	NY	10023
20.A-4-310	34 HAMILTON RD UNIT 310	THE 2005 C & J LLC		1 CHURCHILL PLACE		ARLINGTON	MA	02476
20.A-4 <b>-</b> 401	34 HAMILTON RD UNIT 401	BLUMENTHAL ELIZABETH A		34 HAMILTON ROAD #401		ARLINGTON	MA	02474
20.A-4-402	34 HAMILTON RD UNIT 402	LOPRESTE FRANK A JR		32 MCGINNESS WAY		BILLERICA	MA	01821
20.A-4-403	34 HAMILTON RD UNIT 403	FENNER MARGARET		34 HAMILTON RD # 201		ARLINGTON	MA	02474
20.A-4-404	34 HAMILTON RD UNIT 404	CORNELL JOANNE		34 HAMILTON ROAD #404		ARLINGTON	MA	02474
20.A-4-405	34 HAMILTON RD UNIT 405	MIGHILL CHARLES TETAL	GILSON CHARLOTTE	34 HAMILTON ROAD #405		ARLINGTON	MA	02474
20.A-4-406	34 HAMILTON RD UNIT 406	SWITZER SHARON C		34 HAMILTON ROAD #406		ARLINGTON	MA	02474
20.A-4-407	34 HAMILTON RD UNIT 407	LOW UTA MARION		34 HAMILTON ROAD #407		ARLINGTON	MA	02474
20.A-4-408	34 HAMILTON RD UNIT 408	SHAKYA MAHENDRA & SUBARNA		544 PRENTICE ST		HOLLISTON	MA	01746
20.A-4-409	34 HAMILTON RD UNIT 409	KLEPPNER PAUL S	MUI LINDA P	213 FOLLEN ROAD		LEXINGTON	MA	02421
20.A-4-410	34 HAMILTON RD UNIT 410	DOLHARE VISHAKHA		88 LEWIS RD		BELMONT	MA	02478
20.A-4-501	34 HAMILTON RD UNIT 501	ZHAO QIN	YU BEI	17 CLELLAND RD		LEXINGTON	MA	02421
20.A-4-502	34 HAMILTON RD UNIT 502	HARE BRIAN J	NARDONE JULIE M	34 HAMILTON RD #502		ARLINGTON	MA	02474
20.A-4-503	34 HAMILTON RD UNIT 503	SHUTE PRISCILLA E		34 HAMILTON ROAD #503		ARLINGTON	MA	02474
20.A-4-504	34 HAMILTON RD UNIT 504	HARRIS MATTHEW J		34 HAMILTON RD UNIT 504		ARLINGTON	MA	02474
20.A-4-505	34 HAMILTON RD UNIT 505	FABIANO JOHN G/ TRUSTEE	JEROME P FACHER REVOCABLE TRUS	31 HOMEWOOD RD		WABAN	MA	02468
20.A-4-506	34 HAMILTON RD UNIT 506	EWINS GEORGE D JR ETAL /TRS	ELIZABETH I EWINS SUPPLEMENTAL	2979 GREENBUSH RD		CHARLOTTE	VT	05445
20.A-4-507	34 HAMILTON RD UNIT 507	ANDERSON ERIC HALL/ TRUSTEE	ERIC HALL ANDERSON TRUST- 2019	34 HAMILTON ROAD #507		ARLINGTON	MA	02474
20.A-4-508	34 HAMILTON RD UNIT 508	RAPARTHI LALITHA	VIRUPAKSHA RAPARTHI	34 HAMILTON RD UNIT 508		ARLINGTON	MA	02474
20.A-4-509	34 HAMILTON RD UNIT 509	FESKO COLLEENE TRUSTEE	34 HAMILTON ROAD TRUST	34 HAMILTON ROAD #509		ARLINGTON	MA	02474

Date: August 29, 2022

Subject Property Address: SPY POND Arlington, MA

				MALING ADDRESS				
Parcel ID:	Property Location	Owner 1	Owner 2	Mailing Address 1	Mailing Address 2	Town	State	Zip
20.A-4-510	34 HAMILTON RD UNIT 510	JUROW KATHLEEN A		12 CARVER STREET		SOMERVILLE	MA	02143
21-2-1	16 SPY POND PKWY	SRIDHAR SRAVISH	SRAVISH AKHILA	16 SPY POND PKWY	A	ARLINGTON	MA	02474
21-2-2.A	18 SPY POND PKWY	ONEILL EUGENE F/ LIFE ESTATE		18 SPY POND PKWY		ARLINGTON	MA	02474
21-2-3	22 SPY POND PKWY	ROSS FRANCES M	BATTUELLO BRIAN V	22 SPY POND PKWY		ARLINGTON	MA	02474
21-2-4	26 SPY POND PKWY	CHHABRA SAMIT & ANN M		26 SPY POND PKWY		ARLINGTON	MA	02474
21-2-5	30 SPY POND PKWY	MC CANN JOHN J & MARY A		30 SPY POND PKWY		ARLINGTON	MA	02474
7-5-1	45-45A LAKEHILL AVE	LIU ZIJIE	LUO XIANGLING	45 LAKEHILL AVE		ARLINGTON	MA	02474
7-6-1	46-48 LAKEHILL AVE	PEDRELLI NINO	BRASHEARS BRUNA	3755 GLENHURST AVE SOUTH		ST LOUIS PARK	MN	55416
7-6-2	42-44 LAKEHILL AVE	DOANE JOAN S		42 LAKEHILL AVE		ARLINGTON	MA	02474
7-6-25	39 ALFRED RD	GERA LIVIO J & GLORIA L	TRUSTEES/LIVIO GERA TRUST	39 ALFRED RD		ARLINGTON	MA	02474
7-6-26	2-4 PRINCETON RD	KOPANS DAVID B/LAUREN SUE		2 PRINCETON ROAD		ARLINGTON	MA	02474
7-7-1	0-LOT SPY POND PKWY	PEDRELLI BRUNO & THELIA		3755 GLENHURST AVE SOUTH		ST LOUIS PARK	MN	55416
7-7-2	0-LOT SPY POND PKWY	PEDRELLI BRUNO & THELIA		3755 GLENHURST AVE SOUTH		ST LOUIS PARK	MN	55416
7-7-3	0-LOT SPY POND PKWY	KOPANS DAVID P/LAUREN SUE		2 PRINCETON ROAD		ARLINGTON	MA	02474
9-3-1	0-LOT POND LN	TOWN OF ARLINGTON PARK		730 MASS AVE		ARLINGTON	MA	02476
9-3-3	0-LOT POND LN	TOWN OF ARLINGTON PARK		730 MASS AVE		ARLINGTON	MA	02476
9-4-1	0-LOT POND LN	TOWN OF ARLINGTON PARK		730 MASS AVE		ARLINGTON	MA	02476
121-1-8	26 LAKEVIEW	BOWES ROBERT E & ELAINE M/ TRS	ROBERT E BOWES TRUST	26 LAKEVIEW		ARLINGTON	MA	02476
121-2-9	45 HOPKINS RD	САР GMBH		PO BOX 292		ARLINGTON	MA	02476
121-2-10	36 PEABODY RD	JESSEN IAN	HATCH ELIZA	36 PEABODY RD		ARLINGTON	MA	02476
121-3-11	0-LOT HOPKINS RD	TIFFANY ANDREW/CAROLYN		44 HOPKINS RD		ARLINGTON	MA	02476
121-4-9.A	39 WELLINGTON ST UNIT A	HOWARD PETER M & KEIKO/ TRS	KEIKO HOWARD REVOCABLE TRUST	39 WELLINGTON ST		ARLINGTON	MA	02476
121-4-9.B	39 WELLINGTON ST UNIT B	TABERNER AIMEE LAURA		41 WELLINGTON ST		ARLINGTON	MA	02476
121-4-11	0-LOT ADDISON ST	TOWN OF ARLINGTON CHAP 111	TOWN MANAGER	730 MASS AVE		ARLINGTON	MA	02476
121-4-11.A	0-LOT ADDISON ST	TOWN OF ARLINGTON		730 MASS AVE		ARLINGTON	MA	02476
121-4-12	36 ADDISON ST	CHASAN GWEN B		36 ADDISON STREET		ARLINGTON	MA	02476
121-4-13	34 ADDISON ST	SMITH ANA R/TRUSTEE	ANA SMITH TRUST	34 ADDISON ST		ARLINGTON	MA	02476
121-7-1	60 POND LN	ARLINGTON BOYS CLUB INC		60 POND LANE		ARLINGTON	MA	02474
121.A-3-11	33 ADDISON ST UNIT 35	LOUISE DOROTHY	=	35 ADDISON ST UNIT 2		ARLINGTON	MA	02476
122-4-1	10 CHAPMAN ST	LOH SALLY WO-KWUN		10 CHAPMAN STREET		ARLINGTON	MA	02476
122-4-10	0-LOT SPRING VALLEY	JARDINE ALICE A /TRUSTEE	ALICE A JARDINE TRUST	21 SPRING VALLEY		ARLINGTON	MA	02476

Date: August 29, 2022

Subject Property Address: SPY POND Arlington, MA

· · · · · · · · · · · · · · · · · · ·			MALING ADDRESS					
Parcel ID:	Property Location	Owner 1	Owner 2	Mailing Address 1	Mailing Address 2	Town	State	Zip
122-4-13.A	25 SPRING VALLEY	CARTER E EUGENEETAL	RITA RODRIGUEZ	25 SPRING VALLEY		ARLINGTON	MA	02476
122-4-16	0-LOT SHORE RD	CARTER E EUGENEETAL	RITA RODRIGUEZ	25 SPRING VALLEY		ARLINGTON	MA	02476
122-5-16.B	19 LAKEVIEW	BARBERA MARIANNE		19 LAKEVIEW		ARLINGTON	MA	02476
122-5-17	17-1/2 LAKEVIEW	BOUDREAU MARK E &	ZEILER KATHRYN M	17 LAKEVIEW ST # 1/2		ARLINGTON	MA	02476
122-6-6	0-LOT CHAPMAN ST	BERMAN JUDITH L/TRUSTEE	JUDITH L BERMAN REVOCABLE TR	4 DEVEREAUX ST		ARLINGTON	MA	02476
122-6-7	0-LOT SHORE RD	STARK MARGO D/ETAL	FREUNDLICH DOUGLAS	8 DEVEREAUX STREET		ARLINGTON	MA	02476
122-6-8.A	0-LOT SHORE RD	RICCI GERALDINE R	RICCI STEPHEN J	10 DEVEREAUX ST		ARLINGTON	MA	02476
122-6-9	14 DEVEREAUX ST	MACPHERSON WILLIAM	LYDECKER KATHERINE	14 DEVEREAUX ST		ARLINGTON	MA	02476
122-6-10	0-LOT SHORE RD	MURDOCK GREGORY P	EVANS MARA S	34 GOULD RD		ARLINGTON	MA	02476
122-6-11	34 GOULD RD	MURDOCK GREGORY P	EVANS MARA S	34 GOULD RD		ARLINGTON	MA	02476
122-7-1	0-LOT ELIZABETH ISLAND	ARLINGTON LAND TRUST, INC		PO BOX 492		ARLINGTON	MA	02476
123-2-1	240 PLEASANT ST	BALAZS MARIANNE E		19 ANNETT AVE		EDGEWATER	NJ	07020
123-2-2.A	232 PLEASANT ST UNIT A	FRIIS JACOB & HYUN-A PARK		232 PLEASANT STREET		ARLINGTON	MA	02476
123-2-2.B	232 PLEASANT ST UNIT B	DUFFY NIALL & SABINE	2 8	6704 WEMBERLY WAY		MCLEAN	VA	22101
123-2-3	224-226 PLEASANT ST	PERELI JULIUS R & MARTHA G		224-226 PLEASANT ST		ARLINGTON	MA	02476
123-2-4	220 PLEASANT ST	HIBBETT AKIKO Y/ TRUSTEE	AKIKO HIBBETT FAMILY TRUST	C/O DAVID HIBBETT	48 OAK DR	UPTON	MA	01568
123-2-6	218 PLEASANT ST	LIU YU-HSIOU	ISIK IBRAHIM	218 PLEASANT ST		ARLINGTON	MA	02476
123-2-6.E	212 PLEASANT ST	AIKENHEAD ELLEN T	HALLIDAY MARK D	54 BRANTWOOD RD		ARLINGTON	MA	02476
123-2-7	208 PLEASANT ST	HARTES LLC		208 PLEASANT ST		ARLINGTON	MA	02476
123-2-7.A	204-206 PLEASANT ST	ARONSON RICHARD B/TRUSTEE	SIRAH REALTY TRUST	204 PLEASANT ST		ARLINGTON	MA	02476
123-2-7.B	210 PLEASANT ST	HART ALEXIS C		208 PLEASANT ST		ARLINGTON	MA	02476
123-2-15.A	0-LOT GOULD RD	SULLIVAN KARA	LINDGREN JOHN LEE	25 GOULD RD		ARLINGTON	MA	02476
123-2-16.A	25 GOULD RD	SULLIVAN KARA	LINDGREN JOHN LEE	25 GOULD RD		ARLINGTON	MA	02476
123-2-17	0-LOT SHORE RD	SULLIVAN KARA	LINDGREN JOHN LEE	25 GOULD RD		ARLINGTON	MA	02476
10-5-9	56 POND LN	ARLINGTON ELKS BLDG CORP		56 POND LANE		ARLINGTON	MA	02474

#### **Abutter Notification**

## Notification to Abutters Under the Massachusetts Wetlands Protection Act And Arlington Wetlands Protection Bylaw

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the Arlington Wetlands Protection Bylaw, you are hereby notified of the following:

The Conservation Commission will hold a virtual public meeting using Zoom, on *Thursday, September 15, 2022,* at **7:30 pm** in accordance with the provisions of the Mass. Wetlands Protection Act (M.G.L. Ch. 131, s. 40, as amended), the Town of Arlington Bylaws Article 8, Bylaw for Wetland Protection, and in accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, for a Notice of Intent from <u>Town of Arlington</u> (the applicant) for a 5-Year Aquatic Management Program to control nuisance and non-native plant and algae growth at Spy Pond (the Project) within <u>Land Under Waterbodies</u> (the resource area).

Please refer to the Commission's online meeting agenda for specific Zoom meeting access information. A copy of the application and accompanying plans are available by request by contacting the Arlington Conservation Agent at 781-316-3229 or mmuszynski@town.arlington.ma.us. For more information call the applicant's representative, SWCA Environmental Consultants at 413-658-2012 or the Arlington Conservation Commission at 781-316-3229, or the DEP Northeast Regional Office at 978-694-3200.

NOTE: Notice of the Public Hearing will be published at least five (5) business days in advance in *The Arlington Advocate* and will also be posted at least 48 hours in advance on the Arlington Town Hall website.

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The meeting information for your hearing is:

Date: Thursday, September 15, 2022

Time: 7:30 pm

#### **Affidavit of Service**

(Please return to Conservation Commission)

I, <u>Naomi Valentine</u>, being duly sworn, do hereby state as follows: on August 31, 2022, I mailed a "Notification to Abutters" in compliance with the second paragraph of Massachusetts General Laws, Chapter 131, s.40, the DEP Guide to Abutter Notification dated April 8, 1994, and the Arlington Wetlands Protection Bylaw, Title V, Article 8 of the Town of Arlington Bylaws in connection with the following matter:

5-year Aquatic Management plan of Spy Pond.

The form of the notification, and a list of the abutters to whom it was provided and their addresses, are attached to this Affidavit of Service.

Signed under the pains and penalties of perjury, this 31 day of August.

Nagnu	Valution	
Name		